Security Council

Sixtieth year

Provisional

5176th meeting

Thursday, 12 May 2005, 10 a.m.
New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Baali
	Algeria	Mr. Mayoral
	Benin	Mr. Zinsou
	Brazil	Mr. Sardenberg
	China	Mr. Cheng Jingye
	France	Mr. De La Sablière
	Greece	Mrs. Papadopoulou
	Japan	Mr. Oshima
	Philippines	Mr. Mercado
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Holliday

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)

Monthly report of the Secretary-General on Darfur (S/2005/305)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-34182 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)

Monthly report of the Secretary-General on Darfur (S/2005/305)

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/305, which contains the monthly report of the Secretary-General on Darfur, and document S/2005/285, which contains the report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. I now give him the floor.

Mr. Annabi: Thank you, Madam President, for the opportunity to brief the Council today. Members of the Council will recall that last week, Mr. Jean-Marie Guéhenno gave them a briefing on matters relating to the United Nations peace support operation in the Sudan: the United Nations Mission in the Sudan (UNMIS). Today, I will therefore focus on two related reports of the Secretary-General concerning Darfur: one on the situation in that region during the month of April (S/2005/305) and a second on options with respect to how the United Nations can reinforce the efforts to foster peace in Darfur through appropriate assistance to the African Union Mission in the Sudan (S/2005/285).

The two reports are complementary. The April report on Darfur — which is the eighth such monthly report on the subject by the Secretary-General — makes clear that instability, violence and civilian suffering in that troubled region continue and that a lasting solution can be found only through serious political engagement by the parties, within the Abuja process.

The April report on Darfur also confirms that stability in the region will require, in the short term, a considerable strengthening of the African Union Mission in the Sudan (AMIS). This issue is addressed in the second report being considered by the Council today, which describes steps being taken by the African Union (AU) to strengthen AMIS, and proposes assistance which the United Nations could provide in that regard.

As Council members will have seen from the April Darfur report, organized violence in the region continued throughout last month. Attacks on civilians, rape, kidnapping and banditry actually increased from the previous month. While there was no evidence of direct involvement by regular Government forces last month, there were widespread reports of abuse by militias.

This militia activity was generally small scale, with the one exception of an attack on 7 April on the village of Khor Abeche in Southern Darfur. More than 10,000 civilians — in fact, the entire population of the village — were displaced during that brazen assault, and a substantial number of their homes were burned and looted. Investigations into the attack by the local administration continue, and those responsible should, of course, be held accountable. In that regard, the African Union and the United Nations have identified the commander of the militia forces that struck the village and will pass his name and the name of his collaborators to the panel of experts to be established pursuant to Security Council resolution 1591 (2005).

During the reporting period, the two rebel movements, the Sudanese Liberation Army and the Justice and Equality Movement, also attacked militias and police. In what has become a disturbing trend, they

also seized at gunpoint a number of vehicles being operated commercially and vehicles belonging to humanitarian organizations. Humanitarian vehicles also came under fire during April, and in one case a humanitarian worker was gravely injured. Staff from humanitarian organizations were also subjected to increased harassment by local authorities, particularly in Darfur. This is a worrying trend in the light of the role played by the humanitarian community in sustaining the 2.45 million conflict-affected civilians in Darfur.

The adoption of Security Council resolutions 1591 (2005) and 1593 (2005), on 29 and 31 March respectively, also had an impact during the reporting period. In addition to protests in Khartoum, the two resolutions resulted in increased tensions in the Darfur region among those who perceive themselves to be implicated by the Council's action. We believe that the Government of the Sudan must give its unequivocal support to both resolutions so as to minimize any risk of hostile action by those individuals and their followers against the United Nations in the Sudan.

While violence in Darfur continued throughout April, regrettably there was no tangible progress in Abuja. The most recent round of talks was held, as the Council will recall, in December 2004; and while the African Union is working towards reconvening the Abuja talks next week, it is not yet clear whether the parties are committed to meaningful negotiations. This is a matter of very serious concern. Clearly, lasting peace in Darfur will come only through a negotiated settlement. The parties must dedicate themselves to making the Abuja process work, and the international community should continue to make it clear that it is the negotiating process which will lead to peace.

In view of the difficulties faced in the negotiating process, the actions of the African Union Mission in the Sudan are all the more critical. During the reporting period, the total uniformed strength of the African Union Mission was 2,409 troops and 244 police. While there is a consensus that AMIS is having a very positive impact where it is able to deploy, the African Union Peace and Security Council, in its 28 April decision, decided to expand AMIS, more than doubling its size to the level of 6,171 military personnel and 1,560 civilian police. The Peace and Security Council also called for the strengthened Mission to be in place by the end of September 2005.

The African Union Commission has already taken steps to implement the decision of the Peace and Security Council, including preliminary contact with potential troop contributors. Initial indications are that additional troops will be identified and made available for AMIS. We are awaiting the results of a troop contributors' meeting that the African Union is expected to convene in the coming days. It was expected to have been held on 11 May, but it seems to have been slightly delayed.

Notwithstanding those activities, the strengthening of AMIS will be a considerable challenge which will require the concerted support of all the African Union's partners.

In that regard, Council members have before them the 3 May report of the Secretary-General (S/2005/285) on options for how the United Nations Mission in the Sudan can reinforce efforts to foster peace in Darfur through appropriate assistance to AMIS. The proposals in the Secretary-General's report are based on the findings and recommendations of an AU-led mission to Darfur, which, as the Council knows, was undertaken last March. That mission, which included the participation of the United Nations, the European Union and the United States, assessed the security situation in Darfur and the current deployment of AMIS, and made proposals for enhancing peace support efforts in the region.

The AU-led mission concluded that insecurity in Darfur remains unacceptable. It also concluded that, where AMIS was deployed, it was doing an outstanding job under difficult circumstances. On that basis, it was recommended that AMIS should be strengthened, initially in two phases, with a possible follow-on mission that could be decided on in or around September 2005. The decision taken by the African Union Peace and Security Council on 28 April addresses the first two phases of the proposed expansion.

The AU-led mission also recommended that logistical support for the expansion would be best accomplished by building on existing systems in which individual donors or contractors provide support to AMIS. After a slow start, that system is now working well; to change it at this stage would disrupt operations, rather than enhance them.

The report before the Council proposes areas where the United Nations could provide some of the

support that the African Union will require from its major partners. Those proposals focus on technical assistance and training support in a number of key areas, including, first, assisting the African Union to develop a detailed operational plan for the expansion of AMIS; secondly, providing technical advice in the areas of logistics, planning and management; thirdly, providing support for pre-deployment training of African Union military and civilian personnel; fourthly, providing support in developing detailed selection criteria for police personnel for phase II; and, fifthly, supporting the convening of troop contributors' meetings, as well as a pledging conference for logistical support.

The Secretary-General has been in close and regular contact with the African Union Commission, and in particular with its Chairperson, President Konaré, on support required by the African Union, and, most recently, the Secretary-General asked his Special Adviser, Mr. Lakdhar Brahimi, to go to Addis Ababa to meet with Chairperson Konaré to discuss in detail ways in which the United Nations could assist the African Union in its efforts to expand AMIS.

I am pleased to report that the African Union Commission has accepted the modalities for United Nations assistance described in the report before the Council. United Nations personnel are currently, even as we speak, working with staff from AMIS and AU headquarters to develop a detailed concept of operations for the expanded African Union Mission. Such a concept of operations will form the basis of a detailed request for resources which the African Union intends to present at a 26 May partners' meeting, which we expect will include the participation of Canada, the European Union, NATO, the United Kingdom, the United States and the United Nations — each of which sent representatives to Addis Ababa last week to discuss with the African Union the implications of the decision to expand AMIS.

The African Union has the unequivocal support of the United Nations as it continues its peacekeeping role in Darfur, and all possible steps should be taken to ensure that AMIS receives the donor support required to expand expeditiously and effectively. At the same time — and this cannot be overemphasized — we should not lose sight of the fact that a lasting solution to the Darfur crisis will come only through a negotiated settlement and that every effort should be made to bring the parties together for the next round of talks in Abuja.

The President: I thank Mr. Annabi for his comprehensive briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.5177

Security Council

Sixtieth year

Provisional

5177th meeting

Thursday, 12 May 2005, 1 p.m.

New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Katti
	Argentina	Mr. Garcia Moritán
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Cheng Jingye
	France	Mr. Poirier
	Greece	Mrs. Papadopoulou
	Japan	Mr. Haneda
	Philippines	Mr. Mercado
	Romania	Mr. Dumitru
	Russian Federation	Mr. Leplinskiy
	United Kingdom of Great Britain and Northern Ireland	Mr. Johnston
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Fendrick

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)

Monthly report of the Secretary-General on Darfur (S/2005/305)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-34262 (E)

The meeting was called to order at 1 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on United Nations assistance to the African Union Mission in the Sudan (S/2005/285)

Monthly report of the Secretary-General on Darfur (S/2005/305)

The President: The Security Council will now resume its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council welcomes the report of the Secretary-General on assistance by the United Nations Mission in the Sudan (UNMIS) to the African Union Mission in the Sudan (AMIS) of 3 May 2005 (S/2005/285) and the proposals therein on support the United Nations could make available to AMIS.

"The Security Council applauds the vital leadership role the African Union is playing in Darfur and the work of AMIS on the ground. The Council supports the findings of the joint assessment mission, led by the African Union from 10 to 22 March 2005, which included the United Nations and other partners. The Council also supports the subsequent decision taken by the African Union's Peace and Security Council on 28 April 2005 to expand its mission in Darfur to 7,731 personnel by the end of September 2005.

"The Security Council welcomes the ongoing deployment of UNMIS and looks forward to close coordination and cooperation between UNMIS and AMIS. In this context, the Council recalls its request in resolution 1590 (2005) for UNMIS to closely and continuously liaise and coordinate, at all levels, with the African Union Mission in the Sudan with a view towards expeditiously reinforcing the effort to foster peace in Darfur, especially with regard to the Abuja peace process and the African Union Mission in the Sudan.

"The Security Council welcomes the role played by the African Union's partners in support of AMIS and underlines the active role played by the European Union and by other, bilateral, donors.

"The Council emphasizes the importance of increased coordinated international assistance for the African Union effort in Darfur and emphasizes the readiness of the United Nations to continue playing a key role. In this context, the Council welcomes the second joint assessment mission from 1 to 4 May, which included representatives from the AU, the United Nations and other partners. The Council looks forward to continuing contacts in order to facilitate provision of assistance as requested by the African Union. The Council welcomes, in this regard, the effort and intention of the Secretary-General to consult closely with the African Union on the scope and nature of possible United Nations support to AMIS."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2005/18.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.10 p.m.

United Nations S/PV.5178

Security Council

Sixtieth year

Provisional

5178th meeting

Friday, 13 May 2005, 10 a.m.

New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	China	Mr. Cheng Jingye
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Mercado
	Romania	Mr. Dumitru
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Holliday

Agenda

Security Council mission

Report of the Security Council mission to Haiti (S/2005/302)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-34409 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council mission

Report of the Security Council mission to Haiti (S/2005/302)

The President: I should like to inform the Council that I have received letters from the representatives of Canada, Chile, Guatemala, Haiti, Luxembourg, Norway, Peru, Spain, and Trinidad and Tobago, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mérorès (Haiti) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 12 May 2005 from the Permanent Representative of Benin to the United Nations, which reads as follows:

> "I have the honour to request, in accordance with the relevant provisions of the Charter and rule 39 of the provisional rules of procedure of the Security Council, that Ambassador Ridha Bouabid, Permanent Observer for the International Organization of la Francophonie, be authorized to participate, without the right to vote, in the public meeting of the Council on Haiti that will be held tomorrow, Friday, 13 May 2005."

That letter will be issued as a document of the Security Council under the symbol S/2005/311.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Ridha Bouabid, Permanent Observer for the International Organization of la Francophonie to the United Nations.

There being no objection, it is so decided.

I invite Mr. Bouabid to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now resume its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/302, which contains the report of the Security Council mission to Haiti, which took place from 13 to 16 April 2005.

I shall now give the floor to the representative of Brazil, Mr. Ronaldo Mota Sardenberg, in his capacity as head of the Security Council mission to Haiti.

Mr. Sardenberg (Brazil): As I understand it, the primary objective of this meeting is to introduce the report of the Security Council mission to Haiti, which took place from 13 to 16 April, which has been circulated as an official document of the Security Council. The visit to Haiti was made in conjunction with a visit by the Economic and Social Council's Ad Hoc Advisory Group on Haiti. This meeting will also provide an opportunity to start the process of gathering Member States' opinions on the renewal of the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH).

I am informed that Ambassador Allan Rock of Canada, who led the visit by the Economic and Social Council Group, will also present a report on that mission's activities in due course. He will, of course, be presenting his report to the Economic and Social Council.

I would also like to take this opportunity to thank, once again, the Haitian authorities for their hospitality and the Special Representative of the Secretary-General, Juan Gabriel Valdés, and his team for their support and for the excellent and professional work that they are performing.

The visit to Haiti by the Security Council mission, which I had the privilege to lead, was the first of its type to a Latin American or Caribbean country. The decision to carry it out it was adopted in the course of the open debate on Haiti promoted by the delegation

of Argentina during its presidency of the Council in January.

The actions of the mission benefited from high-degree participation. All 15 Council members were represented, 14 by Ambassadors, of which 10 were Permanent Representatives, including the President of the Security Council in April, Ambassador Wang Guangya. In view of its unprecedented nature, the holding of the mission was in itself significant and constitutes a clear indication of the Council's concern and interest with regard to the current crisis in Haiti.

The mission met with members of the Transitional Government, including Interim President Boniface Alexandre and Interim Prime Minister Gérard Latortue, as well as representatives of the main political parties and of civil society. In addition to staying in Port au Prince, the mission visited the cities of Gonaïves and Cap-Haïtien. In-depth discussions with MINUSTAH personnel helped the mission to enhance its understanding of MINUSTAH's activities and diversified actions in the implementation its mandate.

The main conclusion that can be drawn from the visit is that the international community is committed to supporting Haiti today at this decisive turning point in its history with a view to achieving peace and stability, mitigating its immediate social and economic tribulations and assisting it in making progress towards sustainable development, while respecting its sovereignty. In line with that, it cannot and should not act in Haiti's stead. The mission called on Haitians themselves, particularly the Transitional Government, to carry out their State responsibilities and take advantage of this historic opportunity for gaining full ownership of their future.

The mission report now before the Council contains a detailed description of its activities and findings with regard to security, political transition, elections, human rights, development, the humanitarian situation, institution-building, regional relations and the organization of MINUSTAH.

I would like briefly to stress the main messages and recommendations which were highlighted in the report. There can be no genuine stability without comparable advances in the creation of a safe and secure environment, in the political dialogue with a view to national reconciliation, in the observance of human rights, and in the promotion of social and economic development.

Notwithstanding the fact that the deep-seated root causes of unrest in Haiti, including poverty, require a long-term approach, a number of very serious issues must be dealt with in the short and medium term.

The holding of elections later this year constitutes, indeed, the most pressing and visible challenge for Haitians and the international community in the short term. Free, fair and inclusive elections must take place in accordance with the established timetable. Even though they should not be seen as a universal remedy, elections are essential for the formation of a legitimate Government, thus concluding the political transition period that started more than a year ago.

In Haiti, the mission stressed that there is no alternative to elections and that all political parties that publicly reject violence should be entitled to participate in the electoral process. The result of the vote should be respected by all actors. In that regard, the mission recalled in its report that, in accordance with the Haitian Constitution, "democratically elected authorities must take office on 7 February 2006" (*S/2005/302, para. 67*).

The technical and political preparations for the elections should continue to be closely monitored by the Council on a regular basis, to ensure that they remain on track. Additional resources will be required to cover an estimated gap of about $22 million. The mission has strongly encouraged the timely disbursement of funds committed for that purpose.

MINUSTAH and the Transitional Government should launch a broad-based civic education programme to ensure the broadest possible participation of the Haitian population in the upcoming elections. The mission is of the opinion that there is an urgent need to establish appropriate arrangements for international electoral observation. The mission also supports a long-term dialogue involving all sectors of Haitian society and aimed at developing a common vision of Haiti's future.

Security must continue to be reinforced to allow free and fair elections that have a large degree of participation by the Haitian population. Special security arrangements may be needed for a limited period in the months preceding and immediately

following the elections. Such measures include establishing better coordination procedures between the Haitian National Police and MINUSTAH. The report also stresses the need to ensure more coordination between MINUSTAH's civil police and military components by, inter alia, making the Joint Mission Analysis Cell operational as soon as possible.

The Transitional Government should accelerate its disarmament, demobilization and reintegration (DDR) programme, with the assistance of MINUSTAH. Members expressed their concern over the reported DDR funding gap, which should be addressed without delay.

The Haitian National Police must urgently be reformed so that it can gain the trust of citizens and be counted upon to provide public security. Such reform should be planned and implemented by the Transitional Government with the support of MINUSTAH and bilateral partners.

All political actors must abide by human rights standards without exception. Combating impunity and promoting respect for human rights are urgently being demanded by both the Haitian people and the international community at large.

The mission stresses the importance of rebuilding Haitian institutions, such as the judicial and penal systems — many of which are barely functioning — so that the population can trust State structures. The mission calls upon the international community to provide assistance to that end, including in terms of capacity building. Strong additional measures to assist the judicial system must be considered with the Haitian authorities. MINUSTAH's mandate should be amended to allow international experts to assist and participate in that effort as may be required.

Rapid implementation of quick-impact projects, specially those that create large numbers of jobs, would also help to increase participation in the elections by raising the self-confidence of the Haitian population.

The mission renews its appeal for the accelerated disbursement of the funds pledged by international financial institutions since the International Donors Conference on Haiti of July 2004, and strongly supports the holding of the follow-up to the Cayenne donor conference, preferably no later than July 2005. It calls on all donors to resume full cooperation with Haiti by, among other things, supporting the priority areas identified by the Transitional Government, namely, infrastructure, road repair and construction, energy generation and transmission, reforestation and the management of water resources.

The Ad Hoc Advisory Group of the Economic and Social Council could play an important role in establishing, along with Haitian authorities, a long-term institution-building and development strategy.

In order to improve the Haitian population's understanding of MINUSTAH's mandate and its role in Haiti, the mission recommends that MINUSTAH urgently develop and implement a proactive communications and public relations strategy.

Allow me now to make a few comments in my national capacity. I notice that the list of speakers already contains the names of other delegations wishing to speak.

I would like to point out that the most urgent task we face today is to ensure the minimum conditions necessary to guarantee the success of the transition period in Haiti, thereby taking the first step towards long-term recovery. In line with that, and taking into account a common understanding regarding the need for a long-term United Nations presence in Haiti, Brazil believes that a 12-month extension in MINUSTAH's next mandate is now required.

Despite the substantive improvement in the security situation, the environment in Haiti still remains volatile. Given the history of violence during previous elections, Brazil believes that security arrangements may be needed for a limited period in connection with the elections. Given the nature of potential threats in Haiti, we believe that United Nations civilian police should enhance its participation in the provision of security.

It is imperative to ensure adequate funds to carry out the DDR programme. It is also urgent to expedite the reform of the Haitian National Police, with emphasis on providing adequate training and equipment in accordance with internationally accepted standards. Nevertheless, there can be no sustainable progress in that area if there is no coordinated reform of the judicial system. International experts and capacity-building programmes could play a role in that regard.

As to the political sphere, the Security Council should continue to insist on, and support, the holding

of free and fair elections in accordance with the agreed timetable, and the subsequent taking of office by the newly elected authorities. Potential interested international observers should be deployed, with a view to ensuring respect for democratic standards.

In the economic sphere, it is essential to speed up the implementation of quick-impact projects and to establish a long-term strategy towards sustainable development in the country. Priority areas identified by Haitians themselves should fully be taken into account.

Finally, I wish once again to thank my colleagues in the Council for giving me the opportunity to lead the Security Council's mission to Haiti.

The President: I thank Ambassador Sardenberg for his statement.

I invite Council members who wish to take the floor to so indicate to the Secretariat as of now. I would also like to encourage representatives inscribed on the speakers list for today's debate to limit their oral statements to five minutes and to circulate their full statements in writing.

Mr. Mayoral (Argentina) (*spoke in Spanish*): I would first of all like to congratulate you publicly, Madam President, on your assumption of the presidency of the Security Council. I would also like to commend you on the manner in which you are presiding over our debates. I would also like to express my delegation's gratitude to the Chinese delegation and Ambassador Wang for the excellent manner in which they guided the Council's activities last month.

With respect to the topic at hand, my delegation wishes first to thank the Permanent Representative of the Republic of Brazil, Ambassador Ronaldo Sardenberg, for his report, in which he clearly sets out the activities, findings and recommendations of last month's mission to Haiti, in which I had the honour to participate. I also wish to make special note of the leadership and excellent manner in which my friend Ambassador Ronaldo Sardenberg undertook all his tasks.

The Security Council's visit was an excellent opportunity for all its members to have direct contact with the main political, religious and civil actors in Haiti, as well as with personnel of the United Nations Stabilization Mission in Haiti (MINUSTAH). Everyone knows that Haiti is at a very delicate and critical juncture for its institutional development, and is perhaps at a decisive moment in its history.

We believe that the United Nations Mission should help the Haitian people to achieve peace and stability by cooperating in the reconstruction of its democratic institutions and in development programmes. In that context, I reiterate that, while the political, economic and social problems besetting Haiti are far from resolution, we believe that the country's situation would surely be even more serious and tragic if the United Nations had not acted. It is essential, in our opinion, to guarantee the security conditions necessary to the normal development of the election process to begin on 8 October with the election of local authorities and to continue in November with the presidential election. To that end, the military and police contingents should be expanded during the electoral period and until the inauguration of the new democratic Government, scheduled for February 2006.

We believe that MINUSTAH and its leaders should ensure that the elections are free, fair, inclusive and open to all political parties that publicly renounce violence. The international presence should be coordinated by mobilizing observers to cooperate in the registration process already under way, as well as in the voting and tallying of votes.

We also believe that it is indispensable to provide assistance in rebuilding State institutions — in particular in the reform of the judiciary and penal systems, which are fundamental to combating impunity and ensuring respect for due process and the defence of human rights — through the measures being sought by the Haitian people and the international community.

We must reiterate the urgency of the need for the funds that have been pledged by the international donors to be disbursed in order to implement development projects in the fields of infrastructure, energy, sanitation, communications and the environment and thus to create the necessary conditions for the inhabitants of the island to enjoy a minimum level of well-being and, most importantly, to enable them to see that the United Nations Mission is there to help the Haitians to launch their economic recovery and resume their development. The reconstruction of the Haitian economy, the recovery of democratic institutions and the restoration of a safe environment based on the rule of law and respect for

human rights are fundamental prerequisites for reversing the current situation.

In conclusion, I wish to thank the Special Representative of the Secretary-General, Ambassador Juan Gabriel Valdés, and his team for their support for the Security Council mission. I extend my praise to all MINUSTAH personnel for the professional manner in which they are discharging their obligations in extremely difficult conditions. In that context, I was proud to witness the laudable work being carried out by the various military contingents in Haiti.

Mr. Holliday (United States of America): I thank Ambassador Sardenberg for his leadership of the Security Council mission and his informative presentation. We, too, would like to salute the efforts of the United Nations Stabilization Mission in Haiti and the personnel that the United Nations has on the ground in Haiti for their hard work and dedication.

My colleague, Ambassador Patterson, represented the United States on the mission, and when she came back she mentioned that one of the things that particularly struck her was the lack of a functioning judiciary. She noted that, without a proper judiciary and penal system, the reform of the Haitian National Police will never achieve real success. Haitian interlocutors informed mission representatives that the backlog of cases is such that most of those imprisoned and awaiting trial in Haiti have already been incarcerated for longer periods of time than if they had been tried and found guilty.

We find this situation unacceptable. While there have been and are some efforts under way to help build the Haitian judicial system, we believe that they are insufficient. We have asked the United Nations Department of Peacekeeping Operations to discuss with judicial reform experts, and in particular with several experienced international judges who will soon depart East Timor, the possibility of undertaking an assessment of Haiti's judicial system. We hope that other members agree that the Haitian judiciary is a problem that must be solved, in conjunction with police reform, and that an assessment would be a good first step.

Mr. Mahiga (United Republic of Tanzania): I, too, would like to thank Ambassador Sardenberg of Brazil for his report and for his leadership during our recent visit to Haiti. The Security Council mission to Haiti was a reaction to the deepening crisis in the country, a product of a multitude of problems besetting Haiti and its people over a long period of time.

The United Nations Stabilization Mission in Haiti (MINUSTAH) is the fifth United Nations mission to Haiti since 1995, four of which were during Aristide's time. All of them have been rated as prematurely terminated and superficially successful. This time around, MINUSTAH should be enabled to make a difference by adequately stabilizing the country and laying a foundation for a comprehensive peacebuilding strategy that addresses the societal crisis in Haiti, rooted in its history, society and culture.

The entry of MINUSTAH into Haiti was a significant event, as it brought that country once again to the centre of international attention. Not only was MINUSTAH'S entry slow, but some of its resources had to be diverted to other pressing humanitarian needs in the country.

After a slow start with deployment and operating under very difficult circumstances, MINUSTAH is steadily stabilizing the country. The level of violence is being contained to bring a modicum of stability in which the Transitional Government can operate and relative security to the civilian population. The major continuing threats to security that need to be addressed come from elements of the former armed forces and various armed gangs with different political and criminal agendas. MINUSTAH is working with a deficient National Police which needs major reforms, from recruitment and training to revamping its operational capacity and professionalization of its work ethic.

While MINUSTAH's tactical intelligence should be improved for its stabilizing function, the Transitional Government needs to show more commitment to the disarmament, demobilization and reintegration (DDR) programme. In a country where there has been no classical peace agreement and where there is a culture of owning firearms, the DDR programme is particularly challenging. The buying back of guns is not the correct approach; rather, engaging former members of the military and the armies of unemployed youth in short-term and long-term productive social and economic projects may be more realistic.

The principle of the rule of law has long been compromised in Haiti, as evidenced by the failure to bring powerful criminals to justice, the politicization of

the police and the intimidation of judges. Most important of all, Haiti needs to be set on the path of economic recovery. Messages of self-reliance and empowerment are needed at this stage. The role of the region and of the wider international community in assisting Haiti would be enhanced by the commitment of the people to own the process of their development. The Government should finally be willing to listen to the genuine concerns of Haitian nationals, including those in the diaspora. Their opinions will go a long way towards bringing about an atmosphere of trust and understanding, which is so essential in the building of their motherland.

The national dialogue that has begun is essential for reconciliation and political accommodation. It should be more inclusive and should continue after the elections. The opposition must become part of the mainstream political dialogue. It must also display a convincing interest in the social and economic advancement of the Haitian people. At the moment, the opposition reflects a large number of fractured and superficially united political parties. They have chosen to be obstructive at a time when a sizeable part of the population is willing to be part of the dialogue and to participate in the coming elections.

The elections in Haiti will be an essential starting point for a new political dispensation in the country. They need to be well prepared and carried out within the agreed time frame. The current political momentum towards the elections should be maintained. As important as security is now, during the elections and after the elections, voters need to be motivated to see promise in the future of their country.

Employment-generating projects should be initiated as part of the stabilization effort and as a foundation for the reconstruction effort in the post-election period. What is required is coordinated disbursement of the pledges already on paper under the Interim Cooperation Framework. The donor community should pay particular attention to this important requirement for Haiti. The recent international conference held in Cayenne offered great promise. The pledges made should be disbursed to finance some quick-win projects in this interim period in order to sustain the political tempo towards the elections and beyond them.

It should be stressed once again that poverty has been the root cause of instability in Haiti. Conditions should be put in place to create a political climate that inspires the confidence of future investors in Haiti. Public investment in essential sectors now would not only respond to the most urgent needs of the population, but also meet infrastructural requirements for future investors. Road-building, electricity generation and environmental restoration are areas that require immediate attention.

In conclusion, in the current peacekeeping mission, there are ample opportunities to sow the seeds for a sustainable peacebuilding phase. The case for establishing a Peacebuilding Commission to steer Haiti through the next phase could not be stronger.

Mr. Mercado (Philippines): We join other members in congratulating you, Madam, on your assumption of the presidency of the Security Council for the month of May. We also congratulate Ambassador Wang Guangya and the rest of the Chinese delegation on their successful presidency during the month of April. In addition, we would like to thank the delegation of Brazil for preparing the report of the Security Council mission to Haiti (S/2005/302) and to pay tribute to the outstanding leadership of Ambassador Sardenberg. The well organized four-day mission that he led gave all of us a chance to view a country in serious trouble.

Let me also take this opportunity, on behalf of President Gloria Macapagal-Arroyo and the people of the Philippines, to thank the Secretary-General, the Security Council, the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Transitional Government of Haiti for their statements of sympathy and condemnation in connection with the death of a Filipino peacekeeper at the hands of gunmen in the slums of Cité Soleil. Ironically, the Security Council was in Haiti during that time. It was the first combat death of a Filipino peacekeeper in a United Nations peace operation. That death, however, will not deter the Philippines from continuing its participation in MINUSTAH.

The Security Council mission to Haiti was an eye-opener for all of us. What we saw first-hand in Haiti was a sad reminder of the reality that all is not well in that country. More than a year after the international community jumped in with its lifeline, Haiti continues to struggle in a sea of violence and despair.

Although the mission did not bring with it a cure-all formula for Haiti's myriad problems, we came with a message of hope for the country and its people. Our visit there was the strongest message that the Council could convey to the Haitian people regarding the long-term commitment of the international community to give ordinary Haitians the chance to live normal lives free from the violence, poverty and oppression with which they have been conjoined since birth.

Security, or the lack of it, remains our most serious concern. Although Haiti is more peaceful compared with the same period last year as a result of MINUSTAH reaching its authorized force level, the situation remains volatile. Almost regularly, United Nations peacekeepers receive small-arms fire from the admixture of armed political partisans, criminals, street youths and former members of the military, who also subject ordinary Haitians to their own campaigns of terror.

The Philippines has been an advocate of more robust rules of engagement for United Nations peacekeepers since the international community again came to Haiti's rescue last year. An increased force level with a more robust posture and clearly demarcated responsibilities would allow MINUSTAH to move quickly and effectively to neutralize elements that continue to pose a danger to the security and stability of Haiti. Disarming those armed elements will have to be pursued in conjunction with an effective disarmament, demobilization and reintegration programme if we are to look forward not only to the holding of fair and peaceful elections before the end of the year, but also to the delivery of much-promised economic and development assistance to Haitians.

Human rights violations also remain a serious concern, and concrete steps must be undertaken by the Interim Government to put an end to illegal arrests and detentions and to extrajudicial executions in order to improve the country's human rights record. The Haitian National Police, which has been accused of human rights abuses, will also have to be retrained and reformed to bring it up to professional standards.

Lastly, my delegation believes that more effort is needed to pursue national reconciliation. As I speak, former Prime Minister Yvon Neptune hovers near death as a result of a hunger strike to protest his continued detention over what he says are trumped-up charges. We call on the Interim Government to consider, as a gesture of reconciliation, withdrawing the charges filed against him.

The task ahead for us in Haiti is not easy, but we have no choice. We went in, and we must finish the job this time.

Mr. Dumitru (Romania) (*spoke in French*): I, too, should like to take this opportunity to reiterate publicly our congratulations on your assumption of the presidency of the Security Council for the month of May. We wish also to express our gratitude to Ambassador Wang Guangya and his team for the exemplary way in which they conducted the business of the Council during the month of April.

Romania fully associates itself with the statement that the Permanent Representative of Luxembourg will be making on behalf of the Presidency of the European Union.

I should therefore like to make only a few brief comments.

First, I should like to thank Ambassador Sardenberg for the outstanding way in which he led this first Security Council mission to Haiti following the adoption of resolution 1542 (2004). His in-depth knowledge of the subject enabled the Council's message to be conveyed forcefully and clearly to the various stakeholders.

For Romania, the mission had special importance. The situation that prevailed in Haiti at the beginning of 2004 was one of the first crises that Romania, as a newly elected member of the Council, addressed and acted on jointly with the other members of the Council. Almost a year later, we have seen that our decisions and the steps taken on that basis have started to bear fruit, leading to positive changes in the field, beginning with the security situation.

In that context, Council members were able to assess first-hand the excellent work being done by the leadership and the personnel of the United Nations Stabilization Mission in Haiti (MINUSTAH).

The outcome of the mission, contained in the recommendations of the report, once again makes clear the value of field missions conducted by the Council. The broad and coherent vision that the Council mission's approach inspired with regard to Haiti's present and future has been supplemented by the priority given to the recommendations.

The overall experience gained by a number of countries in transition, including Romania, has shown that elections are the indispensable primary stage for ushering in political stability, closely followed by other components of the transitional process. In the particular case of Haiti, in the light of the challenges that need to be met in order to meet the deadline of the 2005 elections, we support the emphasis placed by the Council mission on the responsibilities that are incumbent not only on the Transitional Government but also on the political forces and on civil society.

The experience of countries that have been through transitions — sometimes complex and painful ones — towards democracy, the rule of law and democratization also makes clear that long-term efforts are required at several levels — political, economic and in terms of the prevailing mindset. Therefore, while we fully support the view that success in Haiti depends on a long-term, multidimensional involvement by the international community and above all by the United Nations, there is, however, another condition that needs to be met in order to prevent history from repeating itself in that country, which has experienced so many false starts.

At this time, it is important in particular that the internal Haitian stakeholders who are the international community's partners act in good faith and commit themselves unreservedly in both political and practical terms.

Accordingly, we believe that the continuing fragility in the situation is due largely to the marked absence of trust which continues to prevail among the political leaders of the various groups and communities in Haiti. Absolute poverty, impunity, the absence of hope and a lack of education — affecting primarily young people — makes the atmosphere in Haiti a very toxic one, full of hatred, which in turn leads to self-destruction.

Unfortunately, it seems that, even at the subregional level, confidence has not been completely restored. The Security Council must furthermore encourage the full normalization of the relations between Haiti and the Caribbean countries. The Haitian Minister for Foreign Affairs has informed us about positive steps in that respect. In addition, the representative of the Caribbean Community in Port-au-Prince told us about a number of projects that the subregional organization is implementing in Haiti. All of this can only increase the synergy of regional cooperation, with a view to a speedier improvement in the situation in Haiti. Latin American countries are providing most of MINUSTAH's military personnel, and the Organization of American States is equally involved in preparing for the elections, in close cooperation with MINUSTAH.

Finally, we hope that, during the thematic debate that the Romanian presidency of the Security Council intends to hold in October, the case of Haiti will be presented as a success story — the result of cooperation among the United Nations and regional organizations.

Mr. De La Sablière (France) (*spoke in French*): I, too, would like first to thank our colleague, Ambassador Sardenberg, for his briefing and to congratulate him also on having taken the initiative of leading this important Security Council mission, which I believe was very useful. Personally, I gained a wealth of knowledge about the situation in Haiti. I was able to appreciate the work being done by the United Nations Stabilization Mission in Haiti (MINUSTAH), whose task, at the beginning, was somewhat difficult. However, we have seen today that the mission has in fact been doing outstanding work. We also appreciated all of the work being done by the Special Representative of the Secretary-General, our former colleague, Ambassador Juan Gabriel Valdéz, who, I would reiterate, is doing an outstanding job in Haiti.

We were also able, I believe, thanks to the excellent guidance provided by our President, to clearly convey the message we wished to send to Haiti, and we made recommendations that I believe will be useful for the work of the Security Council. I will not go into all of the recommendations made by the mission, because I think that they are clear and well adapted to the situation there; indeed, we support them fully.

I should like, however, to stress one point, that is, the efforts that now need to be made with regard to the local, legislative and presidential elections to take place this fall. Those elections — and this was stressed by the mission rather frequently during the visit — have to be held according to schedule. They have to be free and fair and open to all political parties that have renounced violence, and they should permit the participation of as many people as possible. That is the

immediate challenge for Haitians and indeed for the international community.

In order properly to meet that challenge, I believe that we need to take action in three main areas. The first step that needs to be taken is to strengthen security, so that the elections can take place in the best possible conditions. In a few days' time, we will be considering Secretariat proposals on that subject. In addition to a possible increase in personnel, we need to ensure that the personnel already present there, in particular civilian police personnel, is properly used.

Secondly, we believe that we should as soon as possible implement quick-impact development projects. We discussed this repeatedly during the mission, and it is the subject of one of the recommendations: that tangible improvements should be made to the living conditions of the people, and that they need to be given hope.

In that regard, we welcome Canada's holding in mid-June of a follow-up meeting to the Cayenne conference held at the initiative of Foreign Minister Barnier of France. We believe that all donors should immediately resume their full cooperation with Haiti.

Thirdly and finally, we need to closely follow the preparations for the elections, in particular voter registration and civic education efforts for the population.

Elections are a necessary step for ensuring stability in Haiti but in themselves are not sufficient. In parallel, we must pursue with the Haitian authorities the rebuilding of institutions, in particular the judicial system, and promote the sustainable development of the country.

Mr. Vassilakis (Greece): I would like to express our deep appreciation to our colleague, the Permanent Representative of Brazil, for his skilful leadership of the Security Council mission to Haiti — although I was not present in the mission — at this particularly important junction in Haiti's long quest for security, political and social stability and development. It was both appropriate and necessary that the international community, through the Security Council, conveyed to the people and the leaders of Haiti its long-term commitment and continued support to their legitimate dreams and aspirations.

We wish to extend our thanks to the United Nations Stabilization Mission in Haiti (MINUSTAH). We commend it for its stabilizing role and for the work it carries out under extremely difficult circumstances. At the same time, we unequivocally condemn all attacks against it and against other international personnel, especially those with a humanitarian task. Last but not least, we should not forget the tireless efforts of the Special Representative of the Secretary-General, Mr. Valdés.

The report before us (S/2005/302) accurately reflects the Security Council's thoughts and observations with respect to the situation in Haiti and the way forward. I shall make only three short points.

First, the political landscape in Haiti is highly complex. A truly representative and legitimate Government and the smooth transfer of power on 7 February 2006 are crucial first steps towards the normalization of the situation and the stabilization of the country. Elections must take place according to the established timetable, and they must be free, fair, democratic and open to all political parties that publicly renounce violence.

Secondly, the problems faced by Haiti are huge and deeply rooted. Solutions are not easy. No one is expecting those problems to be miraculously solved by an election process, a political dialogue or international assistance alone. Institutional reform and development, especially in the judicial and penal sectors; respect for human rights and the rule of law, especially with respect to impunity and the implementation of the rules of due process; dealing with ecological disasters; addressing urgent and basic humanitarian needs; and pursuing development goals: these demand long-term hard work and commitment.

Thirdly, poverty has led to violence and instability, which cannot be reversed without injecting massive, immediate aid. We therefore appeal to all donors, big and small, to disburse the funds pledged at the International Donors Conference on Haiti, held in July 2004, and at the Cayenne follow-up meeting.

As we have said before, MINUSTAH is in Haiti for the long term, and its main role is not limited to security but includes helping, along with United Nations agencies in the country, to foster economic development in the framework of the international community's long-term commitment to the people of Haiti.

The President: I now give the floor to the representative of Canada.

Mr. Rock (Canada) (*spoke in French*): I welcome this opportunity to present the report of the Ad Hoc Advisory Group of the Economic and Social Council on its visit to Haiti, which took place in conjunction with the Security Council mission from 13 to 16 April.

In recent months, within the Organization, we have discussed the cause of larger freedom: how to ensure freedom from want and fear and freedom to live in dignity. I believe that the Ad Hoc Advisory Group's mission to Haiti, together with that of the Security Council, tangibly demonstrated the importance of that debate. The nexus between development, security and human rights is nowhere more evident than in Haiti.

(*spoke in English*)

Ultimately, of course, the chief responsibility for the building of a stable and democratic Haiti rests in the hands of the Haitian people themselves. However, the international community must offer its commitment and support over the long term. The Economic and Social Council itself will have an important contribution to make as the United Nations seeks to play a positive role in the long, challenging work that lies ahead.

Those involved in the Security Council and the Economic and Social Council visits returned, I believe, with a deeper appreciation of the human reality behind the four clusters of the Secretary General's report "In larger freedom" (A/59/2005). We saw for ourselves the need to better manage the continuum of support, from relief to recovery to reconstruction to self-sustaining growth development, in a close and mutually beneficial partnership with local stakeholders and with a seamless transition from one stage to another. While that process needs to be sequenced, the planning for recovery should start as relief work begins, and the planning for long-term development should parallel reconstruction activities.

That is the challenge that the current Government of Haiti faces. With so many things to do, where and how should one start? As we learned during our short visit, there has been good progress in stabilizing the macroeconomic framework, which is essential for future progress. But for many reasons, there has been a slower start on other urgent needs: on jobs, roads, schools, health, water and sanitation.

Our Group's report to the Economic and Social Council recognizes the immense challenges that will face the incoming Government in February 2006. The national report on Haiti's progress towards attaining the Millennium Development Goals underlines how much needs to be done at the most basic levels. We will therefore propose that the new Government consider anchoring its medium-term planning in a poverty reduction strategy paper based on the Millennium Development Goals.

The Group's report will make a series of concise recommendations for consideration by the Economic and Social Council, the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations country team and the donor community. Let me briefly touch upon some of its central recommendations.

We recommend that the Economic and Social Council focus on mechanisms for capacity-building support, playing a role in promoting the socio-economic dimensions of the disarmament, demobilization and reintegration (DDR) programme, developing a strong advocacy role on poverty and promoting a smooth transition from the United Nations integrated mission to sustained economic development once MINUSTAH's mandate has been fulfilled.

With respect to the United Nations system, we encourage considering the establishment of capacity under the Special Representative of the Secretary-General to develop quick-impact projects, investing in developing the capacity of key ministries and ensuring that the DDR process is complemented by efforts in support of political dialogue, a stronger judiciary, reconciliation and security sector reform.

Looking to donors, we recommend that they develop more flexible and accelerated disbursement processes, align themselves to the maximum extent in support of government-led strategies, harmonize their activities closely and ensure that the DDR process is sustained beyond the departure of MINUSTAH and the end of the Interim Cooperation Framework.

As Haiti turns to the immense challenges it now faces, it will be impossible to do everything at once. There will be hard decisions about where to start and how to sequence efforts. But it will be important to communicate to the people of Haiti where the Government intends to deliver and how it intends to reach all parts of the country.

The international community will need to maintain its engagement for the long term and to resist the temptation to reduce funding when the elections are over. In that respect, the past should be our teacher.

We therefore call on the international community to increase its commitments to Haiti and to be more flexible in doing so. Paperwork should not form a barrier between a good idea and the financing necessary to make it a reality. The Haitian Government must be in a position to make rapid progress in the quality-of-life improvements that Haitians expect.

Underlying ail of this must be a collective decision by Haiti's people and its political class that this is the time to move forward: to begin a national dialogue around the building of a stable country in which citizens enjoy the freedom and economic security we are all committed to promote.

There is one more dimension of the visits by the Economic and Social Council and the Security Council that I should mention before closing. Our simultaneous presence in Haiti — members of both Councils and representatives of international financial institutions and of troop-contributing countries — was a prototype of what has been recommended by the Secretary-General as the Peacebuilding Commission. I believe that the unique integrated perspective that the visit afforded, the constructive working relationship among all those who took part and the significance of the recommendations that emerged from the trip all demonstrate the value of a Peacebuilding Commission. This approach makes sense, and I very much hope that Member States will examine our work when they assess that reform proposal.

Let me conclude by expressing gratitude for the support that the Advisory Group received from the Government of Haiti, the Special Representative of the Secretary-General and Head of MINUSTAH, the Deputy Special Representative and Humanitarian and Resident Coordinator, the entire United Nations country team and the men and women of MINUSTAH who ensured the security of the Group during its visit, as well as from officials of the Department of Peacekeeping Operations, the United Nations Development Programme, the World Bank, the International Monetary Fund and the Inter-American Development Bank. The Group also wishes to thank the Department of Economic and Social Affairs for its excellent support in facilitating our work.

The President: I call next on the representative of Luxembourg.

Mr. Hoscheit (Luxembourg) (*spoke in French*): For the first time under your presidency of the Council, Madam, I have the honour to speak on behalf of the European Union. The acceding countries Bulgaria and Romania, the candidate countries Turkey and Croatia, the countries of the Stabilization and Association Process and potential candidates Albania, Serbia and Montenegro and the former Yugoslav Republic of Macedonia and the country of the European Free Trade Association Iceland, member of the European Economic Area, align themselves with this statement.

At this crucial time for the future of Haiti, the European Union welcomes the opportunity to discuss the findings of the recent mission the Security Council undertook there, on which Ambassador Sardenberg briefed the Council this morning, in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council, whose findings Ambassador Rock has just presented. We feel that three areas need our particular attention at this juncture: the security situation, the upcoming elections and sustainable economic development.

While the mission is of the view that some measure of progress has been achieved regarding security, including through improved cooperation between the Haitian National Police and the United Nations Stabilization Mission in Haiti (MINUSTAH), we note that the overall situation remains fragile. The Haitian National Police is struggling to maintain law and order. An adequate and effective demobilization, disarmament and reintegration programme is still lacking, and we take note of the mission's concerns regarding the firm commitment of the Transitional Government in that regard. The establishment of the National Commission on Disarmament is a welcome first step, but substantial and speedy progress is needed in this field, with the assistance of MINUSTAH, in advance of the elections in the fall.

The persistence of widespread violence in some areas of the country would pose a serious risk to the elections, as a secure environment is essential for political debate, campaigning and voting. To further assist the Haitian National Police, a temporary increase in the civilian police component of MINUSTAH and an adjustment of its mandate in order to address the

increasing security challenges should be considered for the period leading up to the elections.

The European Union remains gravely concerned at the human rights violations which have been and continue to be committed in Haiti. While a strong police response is needed to restore law and order, it must respect human rights standards. There should be thorough investigations into alleged human rights violations by the Haitian National Police. We call again on the Transitional Government to take the measures necessary to put an end to impunity.

The European Union welcomes the official launching of the national dialogue by the Interim President. The Union reaffirms that the ongoing crisis in Haiti can be resolved only by peaceful means through a constitutional and inclusive political process. That process must include national dialogue, compromise and reconciliation and must lead to free and fair elections by the end of this year and to the transfer of power to elected authorities by 7 February 2006. All political forces that have renounced violence should be actively encouraged to participate in the national dialogue.

The elections planned for this year will be an essential building block in a long-term effort to rebuild the country. To maintain the necessary momentum, the announced calendar for the elections must be respected. In that context, we are following very closely the voter registration effort currently under way under the supervision of the Organization of American States. As I indicated to the Council in January (see S/PV.5110), the European Union is examining the possibility of dispatching an election observer mission to Haiti. To that end, an assessment mission is planned for the beginning of the summer, and €20.5 million has been earmarked to support the elections.

The Haitian people must be provided with the capacity to ensure the country's long-term stability and prosperity. The European Union is of the view that genuine long-term stability in Haiti requires a strengthened economy and sustainable development. Excluding bilateral contributions by member States, the European Union's pledge made at the Washington donor conference has since been increased to €294 million. The European Union is doing what it can to accelerate disbursements and programme implementation, in order to tangibly improve living conditions and reduce poverty in Haiti. To that end, the European Commission staff in Haiti has been reinforced and procedures for project implementation have been simplified.

This being said, the projects financed through the European Development Fund require close cooperation with the Haitian authorities, who must implement those projects. The lack of an effectively functioning public administration significantly hampers progress in such projects. In the meantime, the European Union has been concentrating on projects in three areas where the Haitian population will see rapid benefits, including through job creation: infrastructure, especially road construction; education, including rehabilitation of schools; and democratization, in particular through support for elections and for justice-sector reform.

Security and development are interlinked elements of a comprehensive solution to the crisis in Haiti, as illustrated by the fact that the Security Council mission took place in conjunction with that of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council. The European Union supports the view that a long-term United Nations presence is required and acknowledges the need for improved coordination between MINUSTAH and the various development actors in Haiti.

Let me conclude by reaffirming the European Union's firm commitment to support Haiti in its difficult transition process, both in the short term and in the longer term. At the same time, we share the view that the Haitian people themselves, including the Transitional Government, need to shoulder their responsibilities and take ownership of their own future.

The President: I now give the floor to the representative of Chile.

Mr. Muñoz (Chile) (*spoke in Spanish*): The delegation of Chile would like to express its appreciation to you, Madam President, and to Denmark for having convened this open meeting to consider the situation in Haiti. We would also like to thank the Permanent Representative of Brazil, Ambassador Ronaldo Sardenberg, for having introduced the report of the Security Council mission to Haiti, which took place from 13 to 16 April.

The Security Council mission, which was undertaken in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council and was the first such visit to Latin

American and Caribbean region, reaffirmed the United Nations commitment to the process of Haiti's political stabilization and economic and social reconstruction.

Since last December, the United Nations Stabilization Mission in Haiti (MINUSTAH) has nearly attained the military and police strength provided for in resolution 1542 (2004), thereby enabling it successfully to carry out a number of operations in Haiti. That progress was achieved in the context of a security situation that remains fragile.

We therefore agree with the Council that there is a need to implement, without further delay, an in-depth and comprehensive programme of demobilization, disarmament and reintegration (DDR). Bringing peace to Haiti will require the disarmament of the whole of Haitian society, not only those who have served in the army. But disarmament without the reintegration of such forces will certainly not achieve the ultimate objective of consolidating peace.

In this connection, we consider it of paramount importance that MINUSTAH be provided with the financial resources requested by the Secretary-General so that the effective implementation of the DDR programme can begin as soon as possible, without prejudice to any voluntary contributions that might be made.

One of the international community's main tasks is to equip Haiti with a police force whose institutional doctrine is founded on respect for the rule of law and the promotion and protection of human rights. Great care must be taken in recruiting and training such a force, which must also be carried out in a transparent manner. That is the only to gain the trust of the citizens.

When the United Nations forces leave, the National Police will have to be the backbone of the maintenance of the rule of law. We welcome the improved coordination between the military and police components of MINUSTAH and the Haitian National Police, including with regard to joint military operations.

My delegation is pleased to inform the Council that our uniformed police — the Carabineros de Chile — signed, on 11 March, a bilateral cooperation agreement with the Haitian National Police. Under that agreement, a delegation of Carabineros worked for 10 days with the Haitian National Police in order to assess the professional requirements of that force.

We reiterate that efforts to strengthen the police force will prove fruitless if they are not pursued within the context of a total overhaul of the key institutions responsible for enforcing of the rule of law in Haiti, which are currently in a very fragile state. This will require the strengthening of democratic institutions, the reform of the judiciary and the prison system and — no less important — the consolidation of political parties and of civil society.

Chile notes with particular interest the Council's recommendation to the Department of Peacekeeping Operations that it undertake a comprehensive evaluation of the security situation in Haiti with a view to determining whether it may be necessary to strengthen the military and police contingents, especially given the crucial need for a secure environment for the forthcoming elections. Those elections are due to be held in a few months' time, and while their success will not in and of itself resolve all of Haiti's problems, a smooth and legitimate electoral process is a necessary condition for progress towards the strengthening of democracy and ensuring the full restoration of the rule of law.

Chile has thus consistently stressed the urgent need for a broad national dialogue involving all stakeholders in Haitian society that renounce the use of violence. We note with satisfaction that such a dialogue has been initiated by the Haitian authorities — but that initiative must be supported by efforts to promote the participation of all stakeholders and must extend beyond the elections.

No one today can deny that security and development are inseparable and mutually reinforcing requirements. It is therefore essential that Haiti receive, as soon as possible, the resources pledged at the donors conference that took place in Washington one year ago. Such resources will enable Haiti to address the urgent social needs of its people and to launch medium- and long-term programmes for reconstruction.

There can be no doubt that the United Nations presence in Haiti should be viewed as a fourth-generation peacekeeping operation whose goals are not limited merely to the suppression of violence. Our collective task will be crowned with success when we make progress towards eradicating the causes of political instability and violence and when Haiti can

stand on its own feet. That is precisely why we welcome the fact that the Security Council mission took place in conjunction with that of the Ad Hoc Advisory Group of the Economic and Social Council. That will make possible an integrated approach to Haiti's problems.

Reaffirming our commitment to the Ad Hoc Advisory Group, we endorse the conclusions and recommendations resulting from that mission to Haiti, presented by the Ambassador of Canada, in particular the poverty-reduction strategy, which must include measures for the creation of jobs, reforestation, the protection of the environment, the rehabilitation of infrastructure and the improvement in the quality of public services in the areas of health and education.

In that connection, we also welcome the fact that MINUSTAH is undertaking many quick-impact projects in areas such as education, health, agriculture, combating HIV/AIDS, infrastructure and the promotion of human rights. Those actions will not only directly benefit the Haitian population, but will also improve the image that Haitians have of the United Nations. We therefore urge Member States once again to provide the Mission with the resources that it needs if it is to succeed in its tasks.

Shortly after the conclusion of the joint mission of the Security Council and the Economic and Social Council, a delegation from the Foreign Relations and Defence Committees of the Senate and the Chamber of Deputies of Chile visited Haiti. Their purpose was to familiarize themselves with the situation in the country and to assess the performance of the Chilean troops there, as well as to identify areas for bilateral cooperation. That is consistent with the national character of the task that my country bas undertaken in Haiti. That is why President Ricardo Lagos is personally committed to ensuring that our National Congress extends the stay of the Chilean forces in that Caribbean country.

Today, in reaffirming our commitment to Haiti and its people, we would like to reiterate that, if we want to ensure the United Nations mission does not fail, as it has done in the past, it must be carried out with a view to the long term. We therefore urge the Security Council to renew the mandate of MINUSTAH for a period of no less than 12 months in order to guarantee its continuity throughout the electoral process and the subsequent transfer of power to the new authorities.

Let us not ignore Haiti yet again. It will depend on us, to a large extent, whether its long-suffering people regain their hope for a better future and for a life of dignity, free from fear and want.

The President: The next speaker is the representative of Guatemala, to whom I give the floor.

Mr. Skinner-Klée (Guatemala) (*spoke in Spanish*): I would like, first of all, to congratulate Denmark for having assumed the presidency of the Security Council and having organized this open debate, providing countries non-members of the Council with the opportunity to express our views on the fragile situation in Haiti. On behalf of Guatemala, I wish you, Madam President, every success as you preside over the work of the Council.

We are also grateful to Ambassador Ronaldo Mota Sardenberg, Permanent Representative of Brazil and head of the Security Council mission to Haiti, for his comprehensive introduction of the mission's report. We would also like to thank Ambassador Allan Rock, Permanent Representative of Canada, for having led the Ad Hoc Advisory Group on Haiti of the Economic and Social Council during the joint mission to the island from 13 to 16 April.

I would like first of all to stress that the work carried out by the Security Council and the Economic and Social Council in connection with post-conflict situations — one in the area of security policy and the other in the area of humanitarian support for development — offers an opportunity for very productive action. The joint mission to Haiti and the ongoing support that the two Councils have been providing each other with respect to that country in the fulfilment of their respective mandates attests to that renewed climate of cooperation. Guatemala welcomes that development.

It is even more important to stress that the role of the United Nations is not merely to assist domestic actors to put an end to conflict and, in the case of Haiti, to stabilize the situation. We should be equally effective in providing humanitarian assistance and helping to bring about the establishment of institutions that will make possible long-term development and prevent the resurgence of conflict.

Since the beginning of the crisis in Haiti, my Government has expressed its solidarity with the people of that brotherly country. Moreover, my Government has made known its sincere hope that all political actors in Haiti will find a way to build a true democracy and to create a favourable environment for sustainable development in the country to the benefit of all Haitians. Although the primary responsibility to achieve that rests with Haitians, we also know that that essential goal will be achieved only if the international community promotes an effort towards cooperation that is coordinated, generous and long-term in nature. We believe that the Interim Cooperation Framework, which was developed jointly last year by the Transitional Government and the international community, is an important step in the right direction.

In keeping with our policy of promoting the peaceful and negotiated resolution of conflicts, the Government of Guatemala has reaffirmed its commitment and readiness to participate in the United Nations Mission Stabilization Mission in Haiti (MINUSTAH). A 70-person Guatemalan military police contingent is now in Haiti as our present contribution to MINUSTAH. We would like to express our firm support for the work carried out by MINUSTAH, whose principal military and civilian components are of Latin American origin. Guatemala in particular supports the work of Ambassador Juan Gabriel Valdés, Special Representative of the Secretary-General and Head of MINUSTAH.

With regard to the reports presented today, we share the concern about the current delicate security situation in Haiti and the conditions regarding the former army, in particular the challenge posed by armed gangs linked to criminal groups. We are also worried about the weakness in the administration of justice and the ongoing problem of insecurity, as they constitute major hurdles confronting the entire Haitian people today.

For that reason, Guatemala believes that the international community, regional organizations, international financial institutions, agencies, programmes and non-governmental organizations should continue to support the Haitian people in order that it may fully enjoy basic human rights, and that they should support the Transitional Government in investigating the abuses that have taken place so as to put an end to impunity through reform and the strengthening of the National Police and the judicial system, institutions without which the administration of justice is impossible. In that connection, we call upon the Transitional Government to adopt the concrete measures necessary to prevent such acts through effective investigation of complaints and the prosecution of those responsible.

With a view to the preparation and holding of local and presidential elections that are fully participatory, representative, legitimate and in keeping with the existing timetable, we support the basic idea that furthering political dialogue between all groups and actors in Haitian society without exception merits priority attention. We are gravely concerned about the structural, technical and logistical problems described in the relevant report with regard to properly preparing for elections. More worrying yet is the $22 million deficit in the election budget. In that regard, we believe it essential to have sufficient resources available and the necessary technical assistance from the international community — particularly that of donor countries — for the successful holding of elections and an orderly transition to a democratic system.

Guatemala would also like to stress the importance of disarmament, demobilization and reintegration (DDR) programmes. We share the visiting mission's concern not only about the delays in the implementation of the programmes proposed by MINUSTAH but also about the problems in financing those programmes, especially with regard to reintegration.

My delegation must also underscore such fundamental problems as extreme poverty and high rates of illiteracy and malnutrition, which continue to deprive Haitians of basic economic, social and cultural rights and to aggravate the consequences of the non-observance of basic civil and political rights. We recognize that the temporary nature of the Transitional Government means that there will not be enough time to substantially resolve those problems. However, the Government could get some initiatives under way. We therefore urge the Transitional Government, with the cooperation of all social sectors and the support of the international community, to develop and implement a long-term development strategy that makes it possible to address the basic economic and social needs of every Haitian citizen.

With regard to the tasks and challenges facing Haiti and its people, we appeal to the international

community, and donor Governments in particular, to provide Haiti with the backing and assistance needed to overcome the difficulties inherited from the past and to move the country towards a future in which the rule of law is fully in place, with democracy and respect for human rights. It is essential that we face the Haitian challenge as a common challenge, and that we meet our duty to demonstrate our solidarity with a country that has been so ill-treated throughout history. We shall continue with our commitment to rebuild and stabilize Haiti in order to make it possible for the Haitian people to be the masters of their own destiny.

The President: I now give the floor to the representative of Peru.

Mr. De Rivero (Peru) (*spoke in Spanish*): Peru believes it very important that the full Security Council, led by Ambassador Ronaldo Mota Sardenberg, has carried out a working visit to Haiti. That has enabled the Council to get a first-hand view of the situation in that country and of the work being carried out by the United Nations Stabilization Mission in Haiti (MINUSTAH) under the mandate of the Security Council. It should also be recalled that the decision to visit Haiti was adopted at the open meeting very aptly organized on 12 January by the delegation of Argentina during its presidency of the Security Council (S/PV.5110).

We also believe that the simultaneous visit of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council was very appropriate, as was the fact that some of its meetings in Haiti were carried out jointly with the Security Council mission. That modality has not often been employed, but it enriches our understanding of the problems besetting countries such as Haiti. In addition to the Security Council's task of maintaining peace and security, that approach enables the Economic and Social Council to promote the development agenda that will make it possible to rebuild such countries.

My delegation fully shares the Security Council mission's assessment of the aspects it addressed during its visit and endorses its recommendations. I shall therefore confine my remarks to a few points.

As we can see from reading the report of the Security Council mission to Haiti, there is not yet a minimal social contract in Haiti to underpin the existence and authority of the State. My delegation believes that that finding justifies two courses of action. First of all, the forthcoming renewal of MINUSTAH's mandate should be for an initial period of 12 months. MINUSTAH is today the guarantor of minimum conditions of peace and security for the Haitian population. It must therefore be given a timeline that guarantees the continuity of its activities, and must have the resources it needs to provide security for the elections.

The second course of action pertains to the need for all of Haiti's political and social forces to be incorporated into the political process of dialogue and reconciliation currently under way. Absent agreement on the part of Haitians themselves to establish a genuine social contract among themselves, it is difficult to imagine that the current critical situation can be overcome.

It is time for the efforts of the international community and all friends of Haiti, both in this hemisphere and elsewhere, to converge resolutely on the goal of achieving a social pact in Haiti. It is not, of course, the responsibility of the international community — and even less so in the current circumstances — to take a stand in support or rejection of any particular political actor or grouping in Haiti or to express value judgements of the historical and social process that has mired the Haitian population in the worst living conditions in our hemisphere. The international community must be unconditionally committed to securing a social agreement leading to political viability in Haiti. Such a social agreement is undoubtedly the main guarantee of a successful outcome of the electoral process to be launched in Haiti in October and of the elections being carried out in an atmosphere in which democracy and respect for the voice of the voters transcend the violence and legitimate the mandate of the elected authorities.

As the Latin American heads of State reiterated at the Rio summit last November, the reconstruction and development of Haiti are a regional priority for our countries. We are therefore gratified by the region's response in support of Haiti. In Peru's case, that response includes supplying troops to MINUSTAH. In recent months, the Peruvian contingent deployed in Jacmel has been used for various operations in Port-au-Prince, Cité Soleil and other areas of Haiti where violence and gang activity are widespread. We therefore appreciate the recognition offered by the Force Commander of the conduct of our contingent, and deplore the losses incurred by MINUSTAH's

military personnel, which highlight the critical and sensitive situation prevailing in Haiti. Peru has been and will remain committed to Haiti and, in response to the request of the Department of Peacekeeping Operations, will send an additional contingent to double the number of troops it presently has in MINUSTAH.

The Peruvian delegation feels that the restoration of the Transitional Government's control over civil order throughout the country is critical to Haiti's stability. There can be no substitute for that important task, and we must therefore provide the disarmament, demobilization and reintegration programme with the necessary momentum and, above all, resources. In the case of Haiti, however, insecurity arising from the existence of illegal armed groups requires a special political effort towards inclusion. That is why consolidating a sustainable level of security requires the restoration of the social contract and simultaneous action on various fronts, especially with respect to the country's political, institutional and economic development.

The political and institutional development of Haiti cannot be dissociated from economic and social development. That is why a comprehensive, long-term strategy is required to address the challenges facing the country. It is undeniably the fundamental responsibility of the Haitian Government and society to make the internal efforts necessary to laying those foundations, but it is also a fact that Haiti does not have the resources to deal with those challenges on its own. Today more than ever, Haiti needs international cooperation in terms of financial and technical support. In its own efforts, Haiti needs the resolute support of the United Nations, the donor community and the international financial institutions.

We trust that, in the coming weeks, the international community and Haiti's friends in America and on other continents will discharge their responsibility for helping Haitian society to restore its social contract. We cannot be divided on that issue.

Mr. Løvald (Norway): The deterioration of the situation in Haiti gives reason for concern. Haiti now needs both to restore security and to implement investment and aid in order to lay the foundation for the country's reconstruction and the strengthening of the rule of law. A concerted effort by the United Nations, regional organizations and the international community is essential to achieving that.

Norway would like to take this opportunity to express its strong support for the efforts of the Special Representative of the Secretary-General, Mr. Valdés, and the United Nations Stabilization Mission in Haiti (MINUSTAH) in preparing for fair and transparent elections to take place in November. We would also like to underline the importance of the electoral assistance of the Organization of American States for Haiti.

Lasting and sustainable peace depends on the existence of legitimate national authorities. The upcoming elections offer the possibility of a new start so that Haiti can begin addressing its multitude of challenges. Priorities right now are the restoration of security and successful elections.

There is a strong need to promote and facilitate national reconciliation in an open and inclusive process. Haiti needs to develop a political climate and a culture of dialogue, tolerance and respect. There is no alternative to dialogue and compromise in meeting the challenges facing the country. Good governance based on democracy, respect for human rights, sound economic management and accountability must come from within.

In recent years, Norway has been supporting and encouraging political dialogue aimed at national reconciliation. We remain committed to facilitating venues for political dialogue and consensus-building in an open and inclusive process. We believe that, in a long-term perspective, peace and prosperity can be secured only through political dialogue.

Despite the efforts of the United Nations, regional organizations and others, the situation remains difficult and there are no signs that give reason to expect significant improvement in the near future. It is Norway's view that, in a short-term perspective, there is a lack of timely, adequate and secure financing enabling MINUSTAH to fulfil its mandate, including disarmament, demobilization and reintegration activities, and that this must be addressed.

It is our view that, as we approach the September summit, the situation in Haiti underlines the need for a new approach to peacebuilding. We thus encourage all Member States to bear that in mind when considering

the proposal of establishing a United Nations-led, consolidated peacebuilding mechanism.

Mr. Sealy (Trinidad and Tobago): I have the honour to speak on behalf of the States members of the Caribbean Community (CARICOM) that are Members of the United Nations.

Our delegations welcome the report of the Security Council mission on its visit to Haiti, which it undertook in conjunction with that of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council. The conjoint mission was the first time either of those two principal organs of the United Nations had sent political missions to Latin America and the Caribbean and clearly demonstrates, given the high level of representation in both missions, the profound interest in and concern which the international community has with respect to the grave political, economic, social and security crisis with which the people of Haiti are currently confronted. Nowhere is the intrinsic link between security and development more clearly evident than in the current Haitian situation.

The mission's report describes in graphic detail the challenges confronting Haitian society in many spheres and at varying levels. Insecurity or the lack of personal safety continues to be a predominant feature of the Haitian landscape, caused in no small part by the actions of illegally armed groups. One can only express the hope that, through the firm resolve of the United Nations Stabilization Mission in Haiti (MINUSTAH), together with the Haitian National Police, not only will there be an increased sense of security for Haitians as they go about their daily business, but that there will be such a degree of stability and security as to enable the political/electoral process, which has just begun with the registration of voters, to lead to the holding of free, fair, transparent and inclusive elections, the results of which would lead to a democratically elected Government that can command widespread and universal recognition and support.

CARICOM delegations would therefore support the recommendations of the Security Council mission which seek to ensure that the electoral timetable is adhered to, that the required funding is provided to the Provisional Electoral Council and that MINUSTAH's military troop and civilian police strength is reinforced, as appropriate, so as to guarantee the peaceful conduct of these crucial elections, scheduled for October and November. CARICOM delegations note that the electoral timetable envisages the inauguration of a newly elected Government in Haiti on 7 February 2006, and they would be prepared to support the continued presence of MINUSTAH in Haiti after the holding of the elections and for such time as would provide that new Government with the necessary security and stability.

The report of the Security Council mission to Haiti (S/2005/302) addresses a number of other pressing issues, including the need for the observance of human rights. CARICOM supports the view that respect for human rights contributes to reinforcing stability and security and reiterates that the interim administration has a special responsibility in adhering to human rights, in particular respect for fundamental political and civil rights and due process. These should be addressed as a matter of urgency in order to restore the confidence of all Haitians in the law, the police and the judiciary.

In that connection, CARICOM wishes to draw to the attention of the Council the situation of Mr. Yvon Neptune, former constitutional Prime Minister of Haiti, who, after voluntarily turning himself in to the Interim Government in June 2004, has yet to be brought to trial. That is in violation of procedures under the Haitian Constitution. CARICOM heads of State or Government, meeting in February of this year, stated that the indefinite detention of Lavalas leaders and activists — of which the detention of Mr. Neptune is the most glaring example — can be construed only as arbitrary detention on the basis of political affiliation. These persons must either be afforded their right of judicial process or be released forthwith. We are particularly concerned that the prolonged detention of Mr. Neptune has led to the deterioration of his health, with potentially tragic consequences.

CARICOM continues to stress the importance of inclusiveness in the political process in order to promote national unity and an atmosphere conducive to free and fair elections.

The Security Council mission's report also addresses to some extent the dire socio-economic conditions facing Haiti's population, and note has been taken of the observation that Haiti is unlikely to achieve any of the Millennium Development Goals before the year 2015. CARICOM delegations consider that the international donor community must live up to

its obligations and responsibilities to Haiti, a least developed country, and, in order to address the most central of all the Millennium Development Goals — halving by 2015 the proportion of the population living in extreme poverty — must provide it over the short, medium and long term with meaningful and substantial international cooperation assistance such as would enable the people of Haiti to improve their quality of life and would bequeath to future generations a country that is capable of supporting itself economically and of providing for its own domestic law and order, and that guarantees to its people good governance in both the economic and the political spheres. In the immediate future, however, priority attention should be devoted to helping Haiti build the necessary absorptive capacity to utilize most effectively the assistance that is being provided by the donor community.

In conclusion, CARICOM delegations wish to assure the members of the Security Council that CARICOM Governments remain committed over the long term to securing the requisite political, social and economic progress for Haiti. In that regard, we would urge the international donor community and the United Nations system through its funds, programmes and agencies to collectively provide all the necessary support and assistance to Haiti, thus enabling it to rise above and overcome the tremendous challenges it is currently facing.

The President: I now give the floor to the representative of Spain.

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): As this is the first time that I have spoken before the Security Council in May, I should like at the outset to congratulate you, Madam, and Denmark on your assumption of the presidency of the Council and to wish you every success in guiding its work. I also wish to thank you for convening this public meeting to discuss the situation in Haiti following the mission dispatched by the Security Council and led by Ambassador Sardenberg of Brazil in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council, chaired by Ambassador Rock of Canada.

Spain fully subscribes to the statement made by the representative of Luxembourg on behalf of the European Union. I shall therefore limit myself to a few supplementary observations.

Spain's active commitment to stability, democratization and development in Haiti is expressed through our participation in the United Nations Stabilization Mission in Haiti (MINUSTAH) with a military contingent working in close cooperation with one from Morocco and with a civilian police contingent, as well as through our activities in the Ad Hoc Advisory Group on Haiti of the Economic and Social Council, in whose recent mission to the country we participated. The two missions — of the Security Council and of the Economic and Social Council — highlighted the complementarity of those organs when they address complex crises such as the one in Haiti. We agree with the recommendations resulting from the mission, which are set out in the report before the Council (S/2005/302).

The elections planned for the end of the year are undoubtedly one of the most important short-term challenges for the people of Haiti and for the international community. However, they cannot, in and of themselves, solve the country's problems, which also require long-term social, economic and institutional development efforts.

All political parties that renounce violence must be able to participate in free, transparent and inclusive elections in which there is the greatest possible participation by the people. We believe that, during the electoral process, the presence of international observers and the strengthening of security — the absence of which would pose higher risks for the success of the process — would be highly appropriate.

With a view to those objectives, the national dialogue begun on 7 April by Interim President Boniface Alexandre — which dialogue should be supported — should immediately serve to create an inclusive political scenario that will ultimately permit the governability of the country. The Haitian political forces have a special responsibility to ensure that the dialogue moves forward before the electoral process begins and that it continues after the installation of the new Government. The national dialogue should make it possible to define the political framework needed for the implementation of long-term development objectives.

The solution to Haiti's fragile situation is not purely military in nature. However, we all know that there can be no development without security. The two are interlinked and require progress in parallel. We

agree with the recommendation that the Department of Peacekeeping Operations review the security situation in Haiti.

In that context, we believe that a new concept of operations should be adopted for MINUSTAH through a revised model of its civilian police component, with appropriate support for its military personnel — all of this to take place before the electoral process gets under way. We should also improve the coordination of MINUSTAH's civilian police component and strengthen its cooperation with a reformed Haitian National Police. The Mission should also be endowed with the required resources to improve its intelligence-gathering capabilities and enhance its internal coordination with respect to the civilian police.

It is clear that MINUSTAH is playing a very important role in terms of stability and deterrence, which continues to be pivotal, even in areas where calm currently prevails, many of which have an insufficient State presence. We note with concern that there has been very little progress in terms of disarmament and that distrust continues to prevail. One short-term goal is to enhance the people's perception of the level of security, because very often people hesitate to take a step forward in terms of disarmament for fear of losing their capacity for self-defence.

The disarmament, demobilization and reintegration programme initiated in February by MINUSTAH should be carried out without delay. That requires a clear-sighted and resolute attitude on the part of the Transitional Government as well as the disbursement of the required financial assistance by the donor community.

Furthermore, as stated in the interim report Ad Hoc Advisory Group of the Economic and Social Council, to which the representative of Canada has just referred, in order to put an end to the violence, we have to tackle the underlying socio-economic conditions. The members of the Security Council and of the Ad Hoc Group noted in the field the weakness of Haiti's institutions. Their fragility is very clear in the areas of law enforcement and administration.

In that respect, reform of the judicial and penal system, as well as training in the area of human rights for administrative bodies and security forces, is indispensable. Any development activity in Haiti has to be based on rebuilding the State and making it more answerable to the people, with particular attention paid to the inland areas.

Regrettably, today the people's frustration is palpable at the scant international assistance that has been provided. We must therefore all work together to remedy that situation, including through the implementation of quick-impact projects in priority areas.

Environmental sustainability and capacity-building in the area of human resources, along with institutional development throughout the country, are the areas that most urgently require the use of shock tactics.

What is required is a continued effort by the international community. The peacebuilding Mission undertaken by the United Nations last year, by its very nature and scope, has to be a long-term operation. We therefore believe that it would be logical to extend MINUSTAH's mandate for a 12-month period.

Spain, in keeping with its position within the European Union and its participation in the Ad Hoc Advisory Group of the Economic and Social Council Group and in MINUSTAH, will continue its efforts to promote peace and development in Haiti. In order to achieve those goals, it is indispensable, we believe, that the Core Group referred to in resolution 1542 (2004) fully carry out its mandate and receive support from all institutions concerned with Haiti's progress.

We are convinced that, with the Council's support, decisive actions can be taken in the coming weeks. Spain will contribute to this undertaking to the fullest extent of its capabilities.

The President: The next speaker inscribed on my list is the Permanent Observer for the International Organization of la Francophonie to the United Nations, Mr. Ridha Bouabid, to whom I give the floor.

Mr. Bouabid (International Organization of la Francophonie) (*spoke in French*): At the outset, I should like to congratulate you, Madam President, on your assumption of the presidency of the Security Council for the month of May and to thank you, on behalf of the International Organization of la Francophonie, for having convened this debate on the report of the Council's mission to Haiti, which was a founding member of la Francophonie and which is close to our hearts.

Today's meeting is an important one for more than one reason. It is being held in the wake of the recent Security Council mission to Haiti, led by the Ambassador of Brazil. It is an opportunity to discuss the conclusions and recommendations of the mission and to identify the adjustments that will be necessary to make to the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) when the time comes to renew it at the end of the month.

This is an especially crucial time, because we are just a few months away from the important date of the elections, whose conduct and credibility will be considered by all as one of the main pillars of the long-term stability of the country.

La Francophonie is committed to seeing Haiti break the cycle of confrontation and violence and usher in an era of peace and prosperity. Haitians must make the necessary effort to embark once again on the path of peace, democracy, the rule of law and sustainable development. They must be able to rely on increased support from the international community and on increased humanitarian and material resources, so as to give the best possible chance to the transition and to establish the basis for a future which will be a better one in the long term.

It is that message of encouragement, hope and solidarity from the Francophone community that President Abdou Diouf, Secretary-General of La Francophonie, delivered to the authorities and the people of Haiti on 20 March last — the date of the commemoration of the International Day of la Francophonie. We see in the Security Council mission to Haiti a few days later the first mission ever dispatched to that part of the world — a reflection of the common objectives that the Council and our organization are seeking to promote in Haiti. But to ensure that those goals are achieved, we believe that special attention should be given to the following three questions.

First, in terms of security, we cannot hope for an electoral process to be conducted normally in a tense security situation. That is why we support the request of the Interim Prime Minister of Haiti to beef up security forces during the electoral period, particularly in the region of Port-au-Prince, where the problem seems to be particularly acute. We also support his request to deploy more French-speaking civilian police in MINUSTAH, since it appears that a French-speaking presence would make the police operations more effective.

We hope that the mission dispatched by the Department of Peacekeeping Operations to assess security needs will make positive recommendations in that respect, and in particular we hope that the Council will act on those recommendations and authorize a significant increase in civilian police personnel, so that the good work done by MINUSTAH over the past few months might be further enhanced and that security conditions could be effectively improved.

Were the Security Council to adopt that measure, la Francophonie could help to mobilize its member States to provide additional French-speaking civilian police officers, as it did last year, when MINUSTAH was established. The Secretary-General of la Francophonie is in contact with the Secretary-General of the United Nations on this subject. I would recall in passing that of the roughly 30 countries that are now providing civilian police contingents to MINUSTAH, almost half are members of the International Organization of la Francophonie.

The second issue is compliance with the electoral timetable and the need to make every effort to ensure that the elections are truly free, fair and transparent. The international community has a crucial role to play in that respect, in particular by providing technical assistance and financial support. For our part, we shall continue to contribute to that effort by providing necessary expertise to the Electoral Council until the elections are held.

Finally, we believe it is crucial that we all fulfil the commitments we made at the July 2004 donors conference in Washington, which endorsed the Interim Cooperation Framework. The International Organization of la Francophonie intends to keep its part of the bargain. In addition to the assistance to the Electoral Council that I have just mentioned, we intend to follow up concretely on the two missions that we dispatched to the country in recent months. The first focused on the media, given its crucial role, particularly in the electoral period. The second mission focused on the key sector of support for justice and judicial system reform; it will be followed up through a programme to be implemented with quadripartite cooperation among the Haitian Ministry of Justice, the Canadian International Development Agency, the European Union and the International Organization of

la Francophonie. The programme seeks to strengthen the fight against impunity, promote the independence of the judiciary and promote a better administration of justice through, inter alia, the training of judiciary personnel and the development of legal information.

In conclusion, I would like to echo those delegations that recalled the importance of an inclusive national dialogue for the long-term reconciliation process, those that stressed the crucial need urgently to implement a comprehensive disarmament, demobilization and reintegration programme and those delegations that stressed the importance of tackling the underlying cause of Haiti's instability: poverty.

The challenges are considerable. It is a difficult job, and the stakes are high. Thus, my organization supports the Security Council's oft-reaffirmed position in favour of a long-term United Nations presence in Haiti.

The President: I now give the floor to the representative of Haiti.

Mr. Mérorès (Haiti) (*spoke in French*): Allow me first, Madam, to convey my delegation's congratulations on your assumption of the presidency of the Security Council for the current month. Allow me also to convey my delegation's congratulations to Ambassador Wang Guangya of China, under whose presidency the Security Council mission, and that of the Economic and Social Council, were conducted.

Once again, the commitment to assist Haiti in its process of democratic transition has been most eloquently demonstrated. The Security Council's mission from 13 to 16 April — the first Council mission to Haiti or to Latin America — in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council, attests to the United Nations family's great interest in the cause of Haiti. I am pleased once again to welcome that initiative. On behalf of the people and the Government of Haiti, I thank the members of the Council, in particular the head of the mission, the Ambassador of Brazil, and convey the interest and the hope created among our people with respect to the awaited outcome of the mission.

I take this opportunity once again to thank the United Nations Stabilization Mission in Haiti (MINUSTAH) for the very difficult work it is doing in my country. The Mission's presence is essential, and its role is particularly important in terms of creating security and in implementing a variety of development projects, which are most appreciated by my people.

I humbly salute the memory of the members of the Mission who have died in carrying out their duties. They have the gratitude of the people of Haiti.

As the Council noted during its mission to Haiti and as expressed in its report, poverty and unemployment are at the root of the serious crisis confronting the country. The Interim Government's priority remains the holding of free and democratic elections at the end of 2005. However, in addition to the elections, my Government intends to lay the foundations for the socio-economic development of a modern State, a task that requires the long-term assistance of the United Nations and the international community.

That is why the Interim Government endorses the recommendations of the report, which notes that Haiti is at a decisive turning point in its history. The report states that the United Nations can help Haitians achieve their goals of stability and peace, and lay the foundations for sustainable social and economic development in full respect for the sovereignty of Haiti.

In that context, I am pleased to announce a set of measures that my Government will take in the framework of the elections and the efforts already agreed to create a stable environment conducive to the elections.

In fact, since April, the Haitian National Police, in conjunction with MINUSTAH, has been successfully carrying out a series of operations to gain control of some leaders of armed and dangerous gangs that sought to defy the State's authority. On 7 May, the police dismantled gangs that organized the kidnapping of persons in the metropolitan area and released hostages. To combat that phenomenon, the Haitian National Police and MINUSTAH have just created a coordinated cell to combat kidnapping, and the Government reaffirms its commitment to combat all forms of insecurity.

Simultaneously, the Government of Haiti is working to restore the State's authority throughout its territory, regaining control of police stations that previously had been illegally occupied by groups claiming to be demobilized soldiers.

Also in the framework of preparations for the elections, it is encouraging to note that electoral registration has begun, advancing the electoral process to the next stage, following the announcement of elections, their timetable and the previously established plan for operational activities and the consultations held between the Government, on the one hand, and the Provisional Electoral Council, the Organization of American States and MINUSTAH, on the other.

Similarly, mindful that national reconciliation and dialogue are essential for the long-term political process, the head of State has officially initiated a national dialogue, which we deem to be a key element of the political transition. According to the wishes of the provisional President of the Republic, this will be an open dialogue, excluding no one, addressed to all political forces and all civil society groups that have renounced violence.

The disarmament, demobilization and reintegration (DDR) programme should be mentioned in that context. The Government is firmly convinced that the programme is absolutely crucial for attaining the goals it has set, and its commitment to achieving them cannot be doubted. However, the Government is aware of the fragility of that issue and intends to manage it the most rational way.

An official commission was created to implement the DDR programme. However, the funds required to carry it out exceed available government funding, and pledged contributions for those activities remain limited. Making a reality of pledges made in Washington and Cayenne is essential for making progress on that programmes.

The Interim Government wishes to reaffirm its commitment to working for the respect of human rights, mindful that the three pillars of development, security and human rights are crucial for sustainable development. The Government thus endorses the recommendations of the Secretary-General contained in his report in document A/59/2005, entitled "In larger freedom: towards development, security and human rights for all".

However, the Government remains alive to comments and criticism from human rights organizations and is aware of certain deficiencies in the judiciary and in the police. It is working with the international community to rebuild and strengthen State institutions. The Government is not evading the necessary reforms of the police and the judiciary; it intends to do everything it can to carry them out. I would point out the placatory policy of the Government, which in recent months has taken steps to reach out to certain dignitaries of political parties.

The Government once again reiterates its desire to combat all violations of human rights and intends to adopt all necessary measures to end impunity. It is resolutely committed to guarantee the security and safety of the people, to dismantle armed gangs and reintegrate them into civilian life, to reorganize the National Police, to adopt urgent measures to combat impunity in all its forms, and to embark on judicial reform, mindful of the promotion of and respect for the rights of all of citizens.

We regret the words of some who call into question our determination to complete this exercise, which will guarantee compliance with the rights of all citizens. Particularly with regard to the situation of Mr. Neptune, the Council will recall, I am sure, the explanations that were given by the President of the Republic himself — which were very clear — in the Palais National during the audience that he accorded to members of the Council and to members of the Economic and Social Council delegation.

With regard to the Security Council mission, I wish to reaffirm here that the Interim Government resolutely intends to organize the elections by the end of the year and definitely will hand power over to the elected President. In order to do this and to lay the foundations for the development of the country, the ongoing assistance of the international community and of MINUSTAH will remain essential. Accordingly, we hope that MINUSTAH's mandate will be renewed in due course for not less than one year, pursuant to the recommendation of the Security Council mission and previous speakers.

I would like to refer to the Economic and Social Council and once again to thank it for its involvement in the long-term development process in Haiti. The mission of the Ad Hoc Advisory Group that visited the country last month, in parallel to the Security Council mission, was eloquent testimony of its great interest in the economic future of my country. I would like, on behalf of the Government and people of Haiti, to thank the members of the Group — in particular its leader, the Ambassador of Canada — for the very outstanding work done in so little time and for the clear interest

that they all expressed in the cause of the development of Haiti. They saw at first hand the enormous challenges confronting both the Interim Government and the Government that will emerge from the forthcoming elections, and above all the very close links between peace and development. They also saw the enormous interest their mission aroused in a people that is seeking a better future and the commitment of the authorities of the Interim Government to work to that end.

The finding of the mission that Haiti is far from attaining the Millennium Development Goals without major long-term assistance from the United Nations system and the international community merits the attention of all of us. The serious deficiencies in areas such as education, infrastructure, energy, roads, agriculture and the environment, and the weakness of the administrative capacity — these are well-known to the Interim Government, and it is precisely in order to deal with them that the Government appealed to the Economic and Social Council to assist it and future Haitian Government in the ongoing and the necessary future efforts to that end. This is definitely an enormous and daunting challenge, but it is not an impossible challenge.

On the strength of the clear determination of our people to overcome the trials arising from the vicissitudes of our history, and on the strength of the unconditional support of the United Nations and the international community — and once again the Haitian Government renews its gratitude for the help received — Haiti remains convinced that it will emerge tempered by this crisis and that it will regain the place rightfully assigned to it by destiny.

The President: I now give the floor to Ambassador Sardenberg to respond to some of the comments made during the debate.

Mr. Sardenberg (Brazil): Let me first take this opportunity, Madam President, to join those who have extended their congratulations to you and to the delegation of Denmark for your presidency this month, which is already showing itself to be successful. I also wish to thank Ambassador Wang Guangya and our Chinese colleagues for their excellent work in the presidency last month.

I think this has been a valuable debate, with substantive contributions and assessments by Council members and other Members of the Organization. A remarkable coincidence can be seen in the statements this morning. As a result of our debate and of the work and recommendations of the mission, the Council will be in a position to consider, in an appropriate manner, the issues relating to Haiti, including the extension of MINUSTAH's mandate at the end of this month.

I wish to make a comment in response to a concern expressed by Ambassador Sealy of Trinidad and Tobago, speaking for the CARICOM countries. I refer to the case of Mr. Yvon Neptune, a case that is mentioned in paragraph 44 of our report. In Haiti, long detentions while pending cases are awaiting trial, are, unfortunately, the rule and not the exception. Notwithstanding that circumstance, the status of high-level authorities of the former Government should be taken into account in order, inter alia, to enhance national reconciliation while preparations for elections are under way. Therefore the mission, in its contacts with the authorities and the press while in Haiti, stressed the need to speed up such cases.

Finally, I wish to wholeheartedly thank our colleagues for their contributions to the work of the mission and also for their words addressed to our delegation, Brazil, and to myself personally. I also thank the Secretariat for the very able support the personnel gave our mission.

The President: There are no more speakers left on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Before closing, I wish to pay tribute once again to the members of the Security Council mission and the mission of the Economic and Social Council for their contributions to the promotion of peace and stability in Haiti.

The meeting rose at 12.40 p.m.

United Nations S/PV.5179

Security Council

Distr.: General
16 May 2005

Original: English

Official communiqué of the 5179th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Monday, 16 May 2005, at 3 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 16 May 2005, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 5179th meeting in private with the troop-contributing countries to the United Nations Mission of Support in East Timor (UNMISET).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hedi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had a constructive exchange of views."

05-34572 (E) 160505

Security Council

Sixtieth year

Provisional

5180th meeting

Monday, 16 May 2005, 3.45 p.m.
New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	China	Mr. Zhang Yishan
	France	Mr. Poirier
	Greece	Mrs. Papadopoulou
	Japan	Mr. Ozawa
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Smirnov
	United Kingdom of Great Britain and Northern Ireland	Mr. Johnston
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Holliday

Agenda

The situation in Timor-Leste

End of mandate report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2005/310)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-34445 (E)

The meeting was called to order at 3.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor-Leste

End of mandate report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2005/310)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Indonesia, Luxembourg, Malaysia, Portugal and Timor-Leste in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Guterres (Timor-Leste) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/310, which contains the end of mandate report of the Secretary-General on the United Nations Mission of Support in East Timor.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. I now give the floor to Mr. Annabi.

Mr. Annabi: Thank you, Madam President, for giving me this opportunity to introduce the Secretary-General's end of mandate report on the United Mission of Support in East Timor (UNMISET) (S/2005/310) and to provide an update on the preparations for the implementation of the mandate of the United Nations Office in Timor-Leste (UNOTIL), which was established under Security Council resolution 1599 (2005) of 28 April.

During the period covered in the Secretary-General's report, there were a few notable political developments. Local elections were conducted in a peaceful and orderly manner in the eastern districts of Timor-Leste on 17 and 23 March. Although the ruling Fretilin party fared well, independent and opposition candidates won a significant number of seats, especially in the districts of Lautem and Monatuto.

Another notable development was the organization by church leaders of a large demonstration outside the Government building in Dili in response to a Government proposal to designate religious education as an optional subject in some primary schools across Timor-Leste. The demonstration, which lasted 20 days, with numbers oscillating between a few hundred and several thousand, remained largely peaceful.

On the advice of the UNMISET civilian police, the Timorese national police exercised restraint, opening and maintaining lines of communication with the organizers of the demonstration. The Government also adopted an overall conciliatory approach towards the protest. A joint declaration was eventually signed by Prime Minister Alkatiri and the two bishops of Timor-Leste on 7 May, recognizing that religious education should be included as a regular discipline in the school curriculum, with attendance subject to parental wishes. The demonstration thus came to an end with participants dispersing peacefully shortly after the signing of the joint declaration.

Relations between Timor-Leste and Indonesia continued to improve, culminating in the visit of President Susilo Bambang Yudhoyono of Indonesia to Timor-Leste on 8 and 9 April. During that visit, the Foreign Ministers of Timor-Leste and Indonesia signed

the Provisional Agreement on the Borderline, which came into effect on 8 May and defines about 96 per cent of the entire land border. Most of the remaining 4 per cent of the border relates to the Oecussi enclave.

The relationship between the Indonesian Armed Forces (TNI) and the Timorese Border Patrol Unit (BPU) also continued to develop with assistance from the UNMISET military liaison group. On 21 April, however, the BPU exchanged fire with Indonesian military personnel, who were reportedly pursuing a group of smugglers at the border between the two countries. During the exchange of fire, one Indonesian soldier received a gunshot injury to the leg. The Timorese police and the TNI are conducting separate investigations to ascertain the full circumstances of the shooting. UNMISET's military liaison officers have facilitated two meetings between the BPU and the TNI to exchange information, and they continue to assist both sides to conduct an impartial investigation. However, the TNI cancelled a third meeting with the BPU, indicating that it would not participate in further talks with the BPU until the Timorese police were prepared to share the results of their investigation.

That incident highlights the continuing need for a United Nations presence to facilitate interaction between the Border Patrol Unit and the Indonesian military. Further training assistance is also required to support the development of the Border Patrol Unit and to enable it to assume full responsibility for contacts with its Indonesian counterparts by 20 May 2006, when UNOTIL's mandate comes to an end.

Similarly, despite the professionalism displayed during the recent demonstration in Dili, the Rapid Intervention Unit still relies to a large extent on the advice of UNMISET's civilian police component. Other specialized units of the Timorese police, such as the Police Reserve Unit and the immigration and marine units, also require further training assistance to become fully self-sufficient in the performance of their tasks.

With regard to Timor-Leste's State institutions and administration, further progress was achieved towards their consolidation, with assistance from UNMISET civilian advisers. Local ownership has been enhanced, especially in the finance sector. The functioning of the judicial system, however, continues to depend on the support of international advisers who provide legal advice to the Government and training for judicial officials and who still have to perform certain key line functions.

In that context, the decision of the Security Council to authorize a one-year follow-on mission in Timor-Leste will enable the United Nations to make a further contribution towards addressing the country's outstanding needs for assistance.

I visited Timor-Leste from 26 April to 2 May, and I can assure members that, although Security Council resolution 1599 (2005) does not fully respond to the expectations of the Timorese Government, they welcomed its adoption and the further assistance it entails for the continued development of Timor-Leste's State institutions and internal security agencies.

During my stay in Timor-Leste, I had the opportunity to discuss the UNOTIL mandate implementation plan with the Timorese Government and the UNMISET leadership. Some of its main features are included in the report before the Council. Meanwhile, the allocation of the 45 approved civilian adviser posts to the various Timorese State institutions has been finalized in consultation with the Government of Timor-Leste.

UNMISET is currently reviewing the profiles of the international advisers who are deployed in Timor-Leste to evaluate the extent to which they match the new requirements. For those who match the new requirements, their retention for another year has been recommended. Nevertheless, it is estimated that the current pool of advisers does not include the skills required for some 23 new positions out of the 45 authorized. Those will have to be advertised. All current advisers will remain in place until the new ones have been deployed, to avoid gaps in assistance and to ensure a smooth transition. The job descriptions for all the adviser posts are available to interested Member States.

With regard to the 40 police advisers authorized under resolution 1599 (2005), their primary task will be the provision of targeted training to the specialized units of the Timorese police, including the Rapid Intervention Unit, the Police Reserve Unit, the immigration unit, the marine unit and the national security unit. The training will cover areas ranging from riot control techniques and the use and maintenance of fire arms, to immigration and human trafficking, navigation skills and close protection.

Most training will be implemented through conducting courses on the training of trainers in order to ensure a widespread and sustainable transfer of skills. Specialized training will also be provided to the Border Patrol Unit (BPU) of the Timorese police. For that purpose, resolution 1599 (2005) authorizes the deployment of 35 additional advisers, 15 of whom will be military advisers.

As indicated in the report of the Secretary-General, the other 20 positions will be filled by police training advisers, who will focus on imparting policing skills to the Border Patrol Unit. These skills will include border area community policing, evidence gathering and suspect handling, as well as knowledge of immigration law and customs legislation, communications skills and reporting procedures. The 15 military advisers will assist the 20 additional police advisers in the training and mentoring of the BPU in the area of border management. To that end, a joint concept of operations has been developed, which provides for the police and military advisers to be co-located on the three border areas of Bobonaro, Suai and Oecussi.

The UNOTIL military advisers will focus on coordinating contacts between the BPU and the Indonesian military, including through regular inter-command and border meetings. The aim of this joint assistance programme is to enable the BPU to assume full border management responsibility and to interact independently with the Indonesian TNI at the appropriate levels by May 2006.

As in the case of the civilian advisers, some of the existing police advisers will be retained, while others will be replaced to meet the new requirements for specialized training. In that connection, a selection of those police advisers who possess the appropriate skills for continued service under UNOTIL has already been completed. Similarly, some of the current military officers will remain in Timor-Leste for a few weeks beyond 20 May in order to ensure a smooth transition from UNMISET to UNOTIL.

As Council members are aware, resolution 1599 (2005) did not authorize the deployment of the 144-strong backup security force recommended in the 18 February 2005 report of the Secretary-General (S/2005/99).

During my recent visit to Timor-Leste I had the opportunity to travel to the border area, where I was briefed by the UNMISET contingents deployed there on the implications of their imminent withdrawal. It is clear that their departure will create some gaps. Not only did they provide, by their presence, a significant deterrent to criminal activities and a reassuring presence, they also ensured — through the services of the engineering unit — the maintenance of the land route from Dili to the border. That land route is expected to become impassable without such intervention, especially during the rainy season.

The services of the military component's level-two medical unit will also be missed by both United Nations personnel and the local communities. In addition, the removal of UNMISET's troops could have implications for the security of United Nations personnel. Consultations will therefore be undertaken with the Government of Timor-Leste, as well as with neighbouring countries, with a view to putting in place, on a contingency basis, the arrangements necessary to ensure the security of United Nations staff deployed to Timor-Leste.

While in Timor-Leste, I also had the opportunity to be briefed on the serious crimes process, and to meet with staff from the Serious Crimes Unit, the Defence Lawyers Unit and the Special Panels for serious crimes. I wish to note that, according to all those who are familiar with their work, they have done a very professional job under difficult and challenging circumstances. However, as Council members are aware, in accordance with resolution 1543 (2004), adopted on 14 May 2004, the serious crimes process is to be terminated in a few days, on 20 May 2005.

In the meantime, as indicated in the report before the Council, the Secretary-General has established a Commission of Experts which is conducting a review of the prosecution of serious human rights violations committed in Timor-Leste in 1999. The Commission of Experts has written to the Secretary-General to request that the liquidation of the Serious Crimes Unit be suspended until the findings of the Commission have been submitted and the Security Council has had a chance to consider them. It is expected that the Commission of Experts will submit its report by the end of this month, following the Commission's upcoming visit to Jakarta, which is scheduled to take place from 18 to 20 May. In the meantime, 10 staff members of the Serious Crimes Unit will be retained during UNMISET's liquidation phase in order to ensure that a complete copy of all records compiled by

the Serious Crimes Unit is preserved in accordance with paragraph 9 of resolution 1599 (2005).

In conclusion, let me say that while most of the credit for the remarkable progress achieved in Timor-Leste must be given to the Timorese leaders and people, there is no doubt that UNMISET, and the United Nations Transitional Administration in East Timor before it, have made a key contribution to this historic process. More needs to be done, and UNOTIL will do its best to make a further contribution over the next 12 months to the peacebuilding efforts of the United Nations in Timor-Leste.

However, further generous support from the international community will remain indispensable in order to consolidate the remarkable gains made so far in building sustainable State institutions and to enable the people of Timor-Leste to achieve the stable and democratic State that they have pursued with such determination and courage.

The President: I thank Mr. Annabi for his statement.

Mr. Baja (Philippines): Madam President, I wish to thank you for convening this public meeting on Timor-Leste, a neighbour in the region, at a time when that country is once again at an important juncture in its process of establishing a democratic, secure and viable State. I also wish to thank Assistant Secretary-General Annabi for his briefing today on the drawdown process of the United Nations Mission of Support in East Timor (UNMISET), and on how the mandate given to the follow-on mission, the United Nations Office in Timor-Leste (UNOTIL), will be implemented.

While appreciating the significant gains that have been achieved through the determination and resolve of the Timorese people with the support and contribution of the international community in the nation-building process of Timor-Leste, we share the Secretary-General's conclusion that more remains to be done, and that further generous support will be indispensable if the remarkable gains achieved so far are to be sustained and built upon in the future.

On 28 April 2005, the Security Council adopted by consensus resolution 1599 (2005) authorizing UNOTIL as the successor mission to UNMISET. That change in the character of the United Nations presence in Timor-Leste, from peacekeeping to a transitional special political mission, is a recognition of the significant strides that have been made in establishing a generally calm, stable and peaceful security environment in Timor-Leste and of the important political achievements in that country.

Those political achievements include the successful holding of local elections in three eastern districts, progress in institution-building — particularly the endorsement of Timor-Leste's ombudsman for human rights and justice — and further improvement in the relations between Timor-Leste and Indonesia — such as the signing of the Provisional Agreement on the Borderline and the establishment of the Truth and Friendship Commission. In that connection, my delegation believes there is ample opportunity for complementarity between the work of the Truth and Friendship Commission and the Commission of Experts appointed by the Secretary-General to effectively address the need for justice in connection with the serious human rights violations committed in Timor-Leste in 1999.

As one of the contributors of personnel to UNMISET, my country stands ready to continue to provide the support necessary for the implementation of the mandate of UNOTIL. We welcome the Secretary-General's comprehensive identification of the areas where UNOTIL resources will be applied to build the capacity of the public institutions of Timor-Leste in the areas of justice, human rights, national police and other aspects of public administration. My delegation also welcomes the significant role of the various agencies of the United Nations system that are now providing support to Timor-Leste, and that will continue to do so in the transition period, alongside UNOTIL, for an even greater role as Timor-Leste moves on to its sustainable development framework. However, my delegation notes two of the Secretary-General's observations, which have also been pointed out by Assistant Secretary-General Annabi.

First, it will be necessary for the international community to seek alternative ways to meet a number of important requirements in implementing the mandate of UNOTIL. In that regard, my delegation welcomes the steps that the Secretary-General has proposed in his report to ensure that continuity is preserved in important and critical tasks whose conclusion will occur after the end of UNMISET's mandate.

Secondly, beyond the support provided through UNOTIL, further international assistance will be essential to ensure sustainable progress. In particular, my delegation notes the Secretary-General's concern regarding the need for assistance to promote the stability of the country and for contingency arrangements to secure the safety of United Nations personnel.

In that regard, my delegation would like to request that, in its reports to the Council, UNOTIL point to developments in the consultations to be undertaken to secure bilateral and multilateral assistance with regard to the two concerns of the Secretary-General that I have just mentioned.

Finally, my delegation also wishes to acknowledge and commend the tireless efforts of Special Representative Hasegawa, together with his staff at UNMISET, as well as the support they have given to the leaders and the people of Timor-Leste as they overcome the daunting challenges of Timor-Leste's nation-building.

Mr. Ozawa (Japan): Thank you, Madam President, for convening this very timely public meeting as Timor-Leste makes the transition from the United Nations Mission of Support in East Timor (UNMISET), a peacekeeping operation, to the United Nations Office in Timor-Leste (UNOTIL), a special political mission focusing on peacebuilding.

At the outset, we note with satisfaction the tangible achievements and progress made during UNMISET's so-called final consolidation phase over the past year, especially the improvements seen in the security situation, State institutions and capacities and in the promotion of democracy and human rights. The recent peaceful resolution of the demonstrations initiated by church leaders, as described in the Secretary-General's report (S/2005/310), exemplifies the consolidation of democracy in Timor-Leste. We also highly commend the recent strengthening of Timor-Leste's relations with neighbouring countries, including Indonesia.

Recognizing the continuing need for assistance from the international community for institutional capacity-building in Timor-Leste, including in the areas of the judiciary and the police, my Government welcomes the unanimous adoption by the Security Council of resolution 1599 (2005), authorizing the establishment of UNOTIL.

We would like to express our appreciation to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and his staff in UNMISET for their unstinting efforts to assist the Government and the people of Timor-Leste in moving the peace and development process forward. We expect that the United Nations, other international organizations and Member States will continue to provide assistance for nation-building in Timor-Leste for the remaining one-year period, with UNOTIL at the centre. The coming year will represent the final demonstration of the direct contribution of the United Nations to Timor-Leste. In order to make that effort a success, Japan will provide strong and sustained support in Timor-Leste. UNOTIL, in our view, should fulfil a coordinating role in order to effectively combine all bilateral and multilateral assistance for the future sustainable development of Timor-Leste.

Japan, as a friend in Asia, has participated substantively in the efforts to assist Timor-Leste in its process of maintaining peace and consolidating the gains of peace, through UNMISET and other multilateral and bilateral frameworks. At the Timor-Leste and development partners meeting held in Dili in April, Japan pledged to continue and strengthen, our bilateral support to Timor-Leste, which has included dispatching experts for human-resources training and institutional capacity-building.

Finally, my Government believes that peacekeeping operations must have clear completion strategies. Recipient countries of such operations should keep that point in mind and make the utmost effort to attain self-sufficiency. In that regard, Timor-Leste offers a significant example of a country in which the completion strategy is being accomplished through the tireless efforts of the United Nations and the recipient country. Japan hopes to see other peacekeeping operations redouble their efforts to fulfil their mandates in accordance with completion strategies appropriate to the specific situations on the ground.

Mr. Zhang Yishan (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the Secretary-General for his end of mandate report on the United Nations Mission of Support in East Timor (UNMISET) (S/2005/310). I would also like to thank Assistant Secretary-General Hédi Annabi for his briefing.

In a few days, the Government and the people of Timor-Leste will celebrate the third anniversary of their independence. Over the past three years, with the help of the international community, the people of Timor-Leste have overcome every difficulty and have taken encouraging initial steps in various areas of nation-building. Timor-Leste recently conducted a number of local elections and dealt appropriately with domestic difficulties and problems. Its relations with neighbouring countries have been improving and are developing. We share with the Government and the people of Timor-Leste a deep sense of achievement in connection with those accomplishments. We firmly believe that an independent and free Timor-Leste will continue to demonstrate vigour and vitality as it moves down the path of peaceful nation-building.

It must be noted that those achievements reflect the hard work and the contribution of UNMISET over the past three years. UNMISET has lived up to its mandate and accompanied the new-born country in weathering all the vicissitudes inherent in nation-building. It has completed its mandate in an excellent manner. It has earned credibility for the United Nations and has been commended by the people of Timor-Leste and from all sides. In that connection, I would like to express gratitude and pay tribute to all the members of UNMISET and to the Special Representative of the Secretary-General and his predecessors.

Although the mandate of UNMISET is about to end, the United Nations and the international community at large will continue to assist Timor-Leste. As the Secretary-General notes in his report (S/2005/310), the next steps towards institution-building can be pursued through robust capacity-building activities. We hope that, from the outset, the United Nations Office in Timor-Leste (UNOTIL), which is soon to be established, will be clear about its direction and will focus on transferring management experience and other skills to ensure that a fully independent professional Timorese management team is in place at an early date.

The Government and the people of Timor-Leste have repeatedly stated that, in the interest of long-term stability, they will forge good-neighbourly cooperative relations with neighbouring countries and will properly address pending issues. That will truly be in the interest of the Government and the people of Timor-Leste, and it will also help foster stability and development in the region. The international community must respect and support that decision by the Timor-Leste Government.

I wish in conclusion to call upon the international community to continue to lend its attention and support to Timor-Leste to help it make progress in peaceful nation-building.

Mrs. Papadopoulou (Greece): Today's open debate is, for once, about a case with a happy ending. The mandate of the United Nations Mission of Support in East Timor (UNMISET) is coming to a successful close. We wish to express our deep appreciation to the Mission in general and to its personnel, and more particularly to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa. Their dedication, efficiency and professionalism have been exemplary. Thanks to UNMISET, Timor-Leste has managed to achieve a level of stability that will allow it, from now on, to focus on building its institutions and improving the well-being of its people.

Greece fully associates itself with the statement to be made later by the Permanent Representative of Luxembourg on behalf of the European Union.

Timor-Leste has travelled a long way since independence, in May 2002, due mainly to the determination and efforts of its citizens and the steadfast commitment of the international community. UNMISET has provided critical support in that long journey. The establishment of the United Nations Office in Timor-Leste (UNOTIL) constitutes a reaffirmation of our commitment to seeing this journey fully completed.

There is still work to do. We are pleased to see the continuous strengthening of relations between Timor-Leste and Indonesia, proof of which was the recent visit of the Indonesian President to Timor-Leste. We are also pleased to see other encouraging developments, such as progress in establishing Timor-Leste's legal framework. But dealing with the difficult problems of the past, especially human rights abuses and the issue of fighting impunity, is still an open chapter.

Greece has supported the Secretary-General's proposals regarding the reaction of the international community to the request of the Timorese authorities for help. At the same time, we strongly believe in the value of the Security Council's unanimity. The decision to establish UNOTIL was adopted unanimously.

Therefore, we must now shift our focus onto UNOTIL and the fulfilment of its mandate: to actively support critical democratic institution-building, particularly with respect to the police, and to provide training in the fields of democratic governance, the rule of law and human rights. Building a stable and secure democracy to foster economic development and social progress is a goal the international community shares with the Timorese people.

As Timor-Leste moves to the next chapter, the challenge is to consolidate the progress achieved so far and pave the way towards a better future of peace, stability and prosperity for the people of the country and for the region as a whole. In that respect, UNOTIL's role is very important, and we stand ready to provide it with all the necessary means and support.

Mr. Mahiga (United Republic of Tanzania): Thank you, Madam President, for convening this open meeting on Timor-Leste.

We would like to thank Mr. Hédi Annabi and to commend him for introducing the fine report of the Secretary-General (S/2005/310) reviewing the final activities of the United Nations Mission of Support in East Timor (UNMISET) and updating us on preparations for the establishment of the United Nations Office in Timor-Leste (UNOTIL), as recently authorized by the Security Council. Tanzania continues to fully support the work of the United Nations in Timor-Leste.

We are encouraged by the positive developments that have been recorded in Timor-Leste over the past three months. Democracy has been further strengthened by the holding of local elections in several districts, small hurdles here and there having been overcome. It is also encouraging to note a leadership capacity to peacefully resolve potentially divisive differences, as was the case with the settlement of the recent controversy over the teaching of religion in schools.

The building of key State institutions, especially the judicial system, takes time. We wish to commend the speedy progress being made in laying the groundwork for the delivery of justice in Timor-Leste, as this is an important element in the continuing effort to rebuild and establish the rule of law in the country.

We note with appreciation the cooperation extended by both Timor-Leste and Indonesia to the independent Commission of Experts appointed by the Secretary-General to review the prosecutions of previous human rights violations. We trust that the report of the Commission of Experts will strengthen the work of the Truth and Friendship Commission recently established by the two countries.

Strengthening relations between Timor-Leste and neighbouring Indonesia is a priority. The visit to Timor-Leste by President Susilo Bambang Yudhoyono on 8 and 9 April and his commitment to resolve outstanding issues between the two countries, covering border security, maritime boundaries and the status of Timor-Leste refugees residing in Indonesia, constitute a very positive act of understanding, reconciliation and good-neighbourliness. Expanded bilateral cooperation is key for resolving residual issues to the benefit of the two countries. We wish to pay tribute to this encouraging high-level development and hope that this cooperation will be extended to cover outstanding sensitive issues, including the prosecution of serious human rights violations committed in Timor-Leste.

We note with satisfaction the step-by-step growth of Timorese State institutions, realizing full well that uninterrupted international support will continue to be required beyond UNMISET to ensure the growth of a viable State.

The one-year United Nations follow-on mission, the United Nations Office in Timor-Leste (UNOTIL), which will focus on knowledge and skills transfer, marks an important step towards full Timorese ownership of the nation-building process. While thanking all those who contributed to the success of UNMISET, we welcome UNOTIL; we should ensure that it is equally successful in its follow-on mandate. The Secretary-General has signalled an anticipated shortfall of required resources under UNOTIL, which will need to be bridged by the international community. The additional resources will further stabilize the security of Timor-Leste and strengthen its democratic governance institutions. The call by the Secretary-General should be heeded, with a timely and adequate response.

In the face of poverty, unemployment and illiteracy, among the problems that continue to plague Timor-Leste, nation-building efforts can stumble. External support to help fight those problems will continue to be needed even after the conclusion of UNOTIL's mandate.

A combination of popular support, energetic leadership, a focused national development strategy and democratic governance has set Timor-Leste on the trajectory towards becoming a vibrant and prosperous country. Continuing international support is required for the specific objective of consolidating the pillars of statehood and the path of sustainable development, which Timor-Leste has already established and clearly defined.

Mr. Motoc (Romania): I would like to start by joining previous speakers in expressing appreciation for the Secretary-General's latest report on the United Nations Mission of Support in East Timor (UNMISET). I would also like to commend Mr. Annabi for his briefing, which once again illustrated UNMISET's good performance in discharging its mandate.

I shall be very brief. Romania, as an acceding country, aligns itself fully with the statement to be made shortly by Ambassador Hoscheit on behalf of the European Union.

Regarding the United Nations Office in Timor-Leste (UNOTIL) — the follow-on special political mission in Timor-Leste — Romania upholds the approach reflected in resolution 1599 (2005). Romania deems it a sound balancing act between, on the one hand, the need to acknowledge the completion of the mandate and fulfilment of the purposes of a successful United Nations peacekeeping operation and, on the other, the requirement of continued United Nations support to prevent precious post-conflict achievements from falling victim to persistent challenges.

We thus noted with satisfaction the indications in the report of significant progress in terms of stability, development and the strengthening of democracy and State institutions in Timor-Leste. Those are, to a large extent, attributable to the work accomplished by UNMISET. We are also encouraged by the continuous improvement of cooperation between Timor-Leste and Indonesia, which, it is hoped, will bring about further progress in the resolution of outstanding issues, including the completion of the land border delineation.

At the same time, we concur with the evidence presented in the Secretary-General report about the remaining challenges. We do not wish to elaborate unnecessarily on them, other than to re-emphasize the need for continued international and bilateral assistance to Timor-Leste, with the goal of its achieving full self-reliance. The United Nations has a central role to play within that framework. The mandate crafted for UNOTIL — that of a new mission with a predominantly political and civilian dimension, retaining, as the same time, a reasonable presence in terms of military advisers — is adequately fine-tuned to address those requirements and expectations.

I would like to make a final comment about Romania's position regarding efforts to bring an end to impunity in relation to serious human rights violations of 1999. We have welcomed the establishment of the Secretary-General's Commission of Experts, as well as the agreement reached between the Governments of Timor-Leste and Indonesia on the setting up of a Truth and Friendship Commission. The two measures have the potential to make a difference within the overall effort to put an end to impunity. We encourage coordination between the two Commissions. At the same time, it is important that all Member States cooperate with their work.

Mr. Poirier (France) (*spoke in French*): We fully associate ourselves with the statement to be made later by the Permanent Representative of Luxembourg on behalf of the European Union. I will restrict myself to just a few brief comments.

First, we congratulate the people and the authorities of Timor-Leste on the progress made in that country in the three years since independence. State institutions have been strengthened, and democracy is growing.

Secondly, as the United Nations Mission of Support in East Timor (UNMISET) is preparing for the handover of its mission, we would like to join our colleagues in congratulating the Special Representative of the Secretary-General, Mr. Hasegawa, and his staff for their decisive contribution to its success.

Thirdly, while the Timorese people have the primary responsibility for ensuring long-term stability, the United Nations, as Mr. Annabi has said, will continue to play an essential supporting role through the United Nations Office in Timor-Leste (UNOTIL). We have every confidence in the continued action of the Secretariat during the peace consolidation phase. I note that this sets a good example prior to the debate that we will have here on this subject in a few days' time.

Finally, I would like to underscore with satisfaction the continuing improvement of relations between Timor-Leste and its neighbours, first and foremost Indonesia. The visit of the President of Indonesia and the agreement that has been signed relating to 96 per cent of the land border is testimony to that. We will continue to closely follow future progress on remaining border issues. We will continue to attach the greatest importance to the work of the Commission of Experts on serious crimes committed in 1999.

Mr. Zinsou (Benin) (*spoke in French*): We, too, would like to thank the Assistant Secretary-General, Mr. Annabi, for his outstanding briefing on the end of mandate report on the United Nations Mission of Support in East Timor (UNMISET), established by the Secretary-General. We are grateful for the information that he has provided with regard to the setting up of the United Nations Office in Timor Leste (UNOTIL). We welcome the speed with which arrangements were made to bridge the withdrawal of UNMISET and the establishment of the follow-on special political mission.

Although UNOTIL's strength is below the level requested by the Timorese authorities and recommended by the Secretary-General in his report in document S/2005/99, its creation and its mandate as defined in resolution 1599 (2005) give concrete expression to the will of the international community to ensure a smooth transition and continuity of the international presence in the new phase that is just beginning — the transfer of powers and the consolidation of what has been achieved since the independence of Timor-Leste.

We pay tribute to UNMISET and to the Special Representative of the Secretary-General for the excellent work that has been done in support of reconstruction and the strengthening of the human and institutional capacity of Timor-Leste. We share the pride expressed by the Secretary-General at the invaluable contribution made by the United Nations to the building of the Timorese State. We pay tribute to the determination of the people and the Government of Timor-Leste to consolidate peace and stability in the country. We welcome the many important actions taken recently with a view to strengthening the country's legal framework and to stabilizing the political climate, such as the promulgation of the law of the Superior Council for Defence and Security, the drawing up of the penal and criminal codes and the confirmation by the parliament of the nomination of an Ombudsman for Human Rights and Justice for Timor-Leste, and to deal with the issue of religious education. We pay tribute to the great maturity that the Timorese parties have shown in dealing with those delicate issues.

The ongoing improvement of the political, social and economic situation in Timor-Leste and the commitment of the Timorese Government to achieve the Millennium Development Goals are very encouraging, as is the ongoing strengthening of good-neighbourly relations with Indonesia and Australia. In this regard we particularly welcome visit of the President of Indonesia to Timor-Leste and the signature on that occasion of the Provisional Agreement on the Borderline. We hope that the demarcation of the border will be completed very soon. The deadline established by the two sides shows that both want this dossier to make progress, and we encourage them in that.

All of those positive aspects convince us that Timor-Leste has turned a decisive corner in its march towards establishing democracy and sustained economic growth and sustainable development. That significant progress augers well for the future of the country.

In conclusion, Benin would like to join all those who have called on the international community to maintain its commitment to Timor-Leste to find the resources to respond to the major needs that remain and for which the Secretary-General has indicated that appropriate international support is needed. The following areas, we feel, should be given particular attention: strengthening the legal system, particularly with regard to serious crime; building up the professionalism of the national police; and setting up an alternative arrangement to compensate for the non-deployment of the auxiliary security force recommended by the Secretary-General to deal with border infractions and the withdrawal of military group — the only unit responsible for maintaining the roads from Dili to the border — and for the departure of the medical group.

All those elements will have a decisive impact on the future of the young Timorese nation and on the consolidation of what has been achieved. We urge the United Nations to assist the Timorese authorities in the mobilization of resources to provide an optimal solution that will be commensurate with the vital

interests and legitimate aspirations of the Timorese people.

Mr. Holliday (United States of America): The United States welcomes the Secretary-General's end of mandate report on the United Nations Mission of Support in East Timor (UNMISET) (S/2005/310) and also thanks Assistant Secretary-General Annabi for his presentation to the Council. I also wish to extend a particular welcome to Ambassador Guterres.

UNMISET has done an outstanding job, and we would like to commend all who have contributed. In particular, we wish to thank Special Representative Hasegawa for his leadership and commitment. The people and the Government of Timor-Leste have come a remarkable distance in the short time since independence. Their spirit and determination is admirable. We would also like to recognize the substantial achievement on the part of the international community, which clearly demonstrates a model for successful peacekeeping.

It is now time to move on to supporting Timor-Leste in building its own capacity for self-reliance and self-governance. We fully appreciate the challenges that Timor-Leste will continue to face as a new State. It will continue to need concrete support from its friends, including the United States, for some time to come. We hope that the support of the new special political mission — the United Nations Office in Timor-Leste (UNOTIL) — will provide the additional assistance and skills transfer necessary for the Timorese to achieve further self-sufficiency. As we stated last February, this transition from peacekeeping to a sustainable development framework represents an extremely significant and positive milestone in the history of Timor-Leste.

We remain committed to achieving credible accountability for the crimes committed against humanity in 1999, and we look forward to the upcoming report of the Secretary-General's Commission of Experts tasked with reviewing current judicial processes and recommending additional measures, if necessary. We would like to commend the Serious Crimes Unit for its thorough and careful work and to again express our concern about proper handling of crucial evidence gathered by that body. In that context, it is imperative that the United Nations preserve a full copy of the Serious Crimes Unit files, as specified in resolution 1599 (2005). We welcome the decision of the Secretary-General to maintain a core international staff to ensure that the Serious Crimes Unit files are copied.

Since the report of the Commission of Experts will not be completed until after the closure of UNMISET on 20 May, we would support a delay in the liquidation of the Serious Crimes Unit until the Council can consider the recommendations of the Commission of Experts. We hope that the Government of Timor-Leste and UNOTIL, as well as Timor-Leste's bilateral partners, will provide all necessary facilities for the staff to continue to make a complete record of all the Serious Crimes Unit's papers.

As one of Timor-Leste's largest bilateral donors, our assistance has been focused on rehabilitating the local economy, promoting free and open markets, strengthening democracy, improving the judicial sector and training the police and military forces. We hope that Timor-Leste's bilateral and multilateral partners will continue to work with the people and Government of that country to further institutional capacity-building and security-sector training.

It is important that the Government of Timor-Leste take increasingly more responsibility for the nation's future. During this final year of specialized United Nations political assistance through UNOTIL, we hope that the Mission will be able to transfer the necessary skills to build Timor-Leste's capacity to provide for its own security, with a special focus on policing.

Mr. Mayoral (Argentina) *(spoke in Spanish)*: I wish to thank you, Madam President, for having convened this debate on Timor-Leste. I also wish to thank Mr. Annabi for presenting the report of the Secretary-General (S/2005/310) and to congratulate Mr. Hasegawa for his work as Head of the United Nations Mission of Support in East Timor (UNMISET).

As we have said on other occasions, we feel that the experience of the United Nations in Timor-Leste was extremely positive. The successive missions deployed by the Organization to that territory over the last two five-year periods have made a significant contribution to the process of Timor-Leste's transition to independence and to the consolidation of its institutions. Of course, none of that would have been possible without the commitment of the people and Government of Timor-Leste in consolidating a

democratic and viable State in such a short period of time. President Gusmão and Prime Minister Alkatiri and Mr. Ramos-Horta, and other Timorese leaders such as Ambassador Guterres, deserve our recognition, as do the whole of the people of the country.

Despite all the significant progress, it is clear that the help of the international community will continue to be necessary in coming years to ensure that what has been achieved will be sustainable over time and to continue building on that base, as detailed in the Secretary-General's report. This was also the approach followed by the Security Council in adopting resolution 1599 (2005) establishing the United Nations Office in Timor-Leste (UNOTIL). We would have liked the resolution to also have included deployment of more military officers, as had been recommended at the time by the Secretary-General and requested by the Government of Timor-Leste.

With regard to this and other aspects of resolution 1599 (2005), we agree with the report saying that with effect from 20 May there will be a vacuum in some of the areas covered until now by international support. We believe the Security Council should be prepared to react rapidly and flexibly in case circumstances require the country to seek international assistance to maintain security and stability.

We believe that the signing of a comprehensive agreement concerning the border between Indonesia and Timor-Leste continues to be a matter of priority. The strengthening of the relations between Timor-Leste and its neighbours, particularly Indonesia, is vital. President Yudhoyono's visit to Timor-Leste in early April was an additional step on the correct path being taken by both countries. We are pleased that on that occasion, the President of Indonesia reaffirmed his country's commitment to resolving the issues outstanding between them, particularly the refugees in Nusa Tenggara and the demarcation of the maritime and land borders between the two countries.

With regard to the maritime border, we hope that a satisfactory solution can also be achieved in the negotiations between Australia and Timor-Leste and that the utilization of the natural resources of the continental shelf will help the people of Timor-Leste. We must not forget that the country ranks the lowest in Asia in the human development index and urgently needs the additional resources that could come from the exploitation of the Timor Sea's natural resources.

With respect to the bilateral Truth and Friendship Commission agreed to by both parties on 9 March, we reaffirm Argentina's support for all initiatives that can help to clarify the terrible events of the past and that can lead to genuine reconciliation between the peoples, although we are aware that time is needed for that process to move forward. We also believe that reconciliation must not be achieved at the expense of justice; there must be no impunity. We believe that the quest for justice also requires knowledge of the truth. We support the work of the Commission of Experts appointed by the Secretary-General, and we hope that it can carry out its task in fruitful collaboration with the new Truth and Friendship Commission.

In conclusion, I should like to reaffirm Argentina's firm support for Timor-Leste in the process of institution-building and in its efforts to build a democratic society and to promote sustainable economic and social development. Although we believe that the primary responsibility in attaining those objectives lies with the people and the leaders of Timor-Leste, the international community also has an important role to play. That is why we support the maintenance of a substantial United Nations presence in Timor-Leste for as long as necessary. We pledge to continue to explore other options in case the significant progress achieved to date should be put at risk.

Mr. Baali (Algeria) (*spoke in French*): I, too, should like to thank Mr. Hédi Annabi for his detailed briefing and for his presentation of the end of mandate report of the Secretary-General on the United Nations Mission of Support in East Timor (UNMISET) (S/2005/310). I also wish to pay tribute to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and to the rest of the UNMISET staff for the remarkable work that they have accomplished during the Mission's mandate.

In recent months, thanks to the efforts of the Timorese Government and people and to UNMISET's valuable assistance, Timor-Leste has continued to make progress in various areas. We have noted with satisfaction the accomplishments and progress achieved during the final consolidation phase, amply illustrated by the successful local elections and the considerable strengthening of the country's public institutions.

We are also pleased at the quality of the bilateral relations between Indonesia and Timor-Leste, which

have seen real improvement in recent months because of the initiatives undertaken at the highest level by Presidents Gusmão and Yudhoyono. We welcome that positive development in the relations between the two countries, and we congratulate them on the decision to establish a Truth and Friendship Commission and on the signing of the agreement covering 96 per cent of the land border. We encourage both Governments to continue to address the borders issue and other outstanding bilateral issues.

In addition, we welcome the progress made in the negotiations between Timor-Leste and Australia concerning offshore oil deposits, whose exploitation could greatly assist Timor-Leste's economic development.

However, the progress made by the Timorese needs to be consolidated. Assistance is needed in certain key areas such as justice, human rights and support for police and for other public services. UNMISET's mandate ends on 20 May, and the United Nations Office in Timor-Leste (UNOTIL), established by resolution 1599 (2005), will make it possible to continue United Nations assistance in the areas of institutional capacity-building and developing the rule of law. Timor will also need financial support from the international community and from multilateral and bilateral donors so that it can attain the objectives of its national development plan and to ensure long-term stability.

We are confident that the Timorese people and leaders will be successful in their nation-building effort and in rebuilding their country's economy.

Mr. Johnston (United Kingdom): I should like to join others in thanking the Assistant Secretary-General for his briefing and, through him, to thank the Secretary-General for his end of mandate report (S/2005/310) on this important United Nations success story.

Like its European Union colleagues, the United Kingdom fully associates itself with the statement to be made shortly by the representative of Luxembourg on behalf of the European Union presidency.

As this will be the last Council discussion of Timor-Leste during the mandate of the United Nations Mission of Support in East Timor (UNMISET), I wish to join others in paying tribute to the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa; to his predecessor, Mr. Kamalesh Sharma; and to all the people of UNMISET for the excellent work that they have done and for the help that they have provided to the people of Timor and to the international community over the past few years.

With the establishment of the United Nations Office in Timor-Leste (UNOTIL), United Nations activities in that country move into a new phase. The Organization will now be in a position to refocus and concentrate its efforts on areas where the people of East Timor still require targeted assistance. We look forward, over the course of the one-year mandate, to further progress being made towards achieving the goal of self-sufficiency, in particular through training and mentoring activities.

Given the importance of the border issue, we are particularly pleased that training of the Border Patrol Unit will be a priority under UNOTIL's mandate. We welcome the assurance that the work of military advisers and police advisers assisting the Border Patrol Unit will be closely coordinated, and we hope that the work of the police advisers will also be coordinated with the activities of all the donors working in the field of police development and training.

In relation to the border, and more generally in relation to Timor-Leste, we would underline – as others have done — the continuing importance of bilateral commitments from the international community to reinforce the multilateral assistance from the United Nations.

On the issue of serious crimes, we look forward to the forthcoming report by the Secretary-General's Commission of Experts, and we welcome the news that Indonesia has now agreed to issue visas to allow the Commission to visit Jakarta. We welcome the fact that measures are being taken to safeguard the institutional knowledge of the existing serious crimes process, and we support the comments of the Secretary-General on the need to respect the assurances of confidentiality which have been provided to witnesses as part of that process. It is obviously important, as others have said, that the core staff of the Serious Crimes Unit will be retained to continue the crucial work of protecting and safeguarding the information for as long as is necessary.

Finally, a word of thanks and congratulations go to the Timorese themselves, who have achieved so much in the past few years. The Secretary-General's

report highlights the range of United Nations actors who are supporting their efforts in East Timor, but the people themselves also deserve our thanks for the contribution they are making to this important development.

Mr. Valle (Brazil): First of all, I would like to thank Assistant Secretary-General Hédi Annabi for presenting the Secretary-General's report on the activities of the United Nations Mission of Support in Timor-Leste (UNMISET), which are quite promising.

Important progress has been made in the implementation of UNMISET's mandate in the last few years. The security situation is calm and stable, although incidents can occur and will have to be dealt with accordingly. However, it is a fact that, after 20 May, a new phase will begin in United Nations commitments as regards the fulfilment of Timorese aspirations to the creation of a functioning, viable and democratic State.

Enthusiasm about the success of the United Nations presence must not lead us to lose sight of the challenges still facing that country. The foundations for the Timorese State have now been laid. Nevertheless, there are urgent tasks that must still be carried out in order to ensure the minimum required conditions for the success of the transition in the country and the full exercise of sovereignty by its people. Timor-Leste is a country mired in poverty and in urgent need of international assistance in the socio-economic, security and political fields. Overall cooperation and support are still required in a vast array of critical areas.

International responsibilities vis-à-vis the country are by no means over, and my country stands ready to do its share as we continue to enhance our bilateral cooperation with the Timorese Government.

Timor-Leste requires a smooth transition to a situation conducive to the preservation of stability and security as well as continuity in the strengthening of its national institutions and State administration. The progress achieved so far cannot be jeopardized.

Brazil welcomes and fully supports the creation of the United Nations Office in Timor-Leste (UNOTIL) as the successor mission to UNMISET.

Challenges related to the transition towards a post-conflict situation in Timor-Leste and to the promotion of rehabilitation and the implementation of peacebuilding measures, including the establishment of development strategies, will represent a test for the United Nations and the international community. We trust that stability will be preserved in the country as the democratic process evolves and reconciliation efforts gain momentum.

We also welcome the signing of the Provisional Agreement on the Borderline by the Foreign Ministers of Timor-Leste and Indonesia, which came into effect on 8 May, as well as the establishment on 9 March of the Truth and Friendship Commission by Presidents Gusmão and Yudhoyono and Prime Minister Alkatiri.

Brazil welcomes the holding of local elections last March in the eastern districts, which bodes well for the future of political parties in Timor-Leste. The careful handling of problems related to religious education in school programmes reflects maturity and a promising ability on the part of the Timorese Government to overcome potentially divisive issues in a peaceful manner.

We recognize the important role to be played in this new phase by the United Nations development and humanitarian agencies and by the donor community, especially neighbouring countries such as Australia, Indonesia and New Zealand and the small islands members of the Pacific Group. In our view, providing assistance to promote Timor-Leste's long-term development is the best way to ensure that violence does not recur in the future.

Brazil appreciates in particular the efforts of the Governments of Indonesia and of Australia to resolve pending issues and strengthen bilateral ties with Timor-Leste based on friendship and respect, including the delimitation of their borders and the conclusion of mutually beneficial agreements concerning the sharing of common natural resources.

An open-ended United Nations presence in Timor-Leste is not warranted. Yet we believe that only one step should be taken at a time. In that context, income-generating projects to minimize any potential adverse impacts caused by the decrease in United Nations personnel and expenditures are more than ever necessary.

It is essential to maintain the current level of public services following the end of UNMISET's mandate. Strides have been made towards the Timorization of the public administration, and important progress has been achieved in building the

capacity of Timorese State institutions during the consolidation phase. It is critical for the future of the country to strengthen the rule of law, including the justice system and law-enforcement institutions, especially the police. That is a precondition not only for ensuring the observance of human rights but also for providing a solid basis for a sound economic system.

Despite improved relations between the Indonesian Armed Forces and the Timorese Border Patrol Unit, there is an urgent need for the establishment of an effective mechanism for the management of the border, to replace the military liaison arrangement, which will expire in June 2005.

In the area of criminal justice, Timor-Leste still faces a serious lack of specialized personnel. We stress the need to conclude as soon as possible the pending activities of the Serious Crimes Unit with respect to finalizing the process of handing over all relevant documentation related to those serious crimes to the Timorese authorities.

It is also important to address other legal problems that might inhibit economic recovery and development, particularly as concerns the need for clear and stable legislation in various domains.

We cannot rely solely on voluntary contributions. It is necessary to secure a predictable source of funding, as rightly pointed out in the Secretary-General's report. We call on donors to disburse all pledged funds as soon as possible. Now is the time to protect the huge investment we all have already made. In that context, the major factor that must guide the renewal of UNOTIL's mandate in future should be the capacity of the Government of Timor to carry out its State duties.

I wish also to take this opportunity to commend once again the excellent and professional work performed by the Special Representative of the Secretary-General, Sukehiro Hasegawa, and his team of civilian and military personnel. We sincerely hope that the Security Council and other organs of the United Nations will continue to attach a high priority to Timor-Leste.

Mr. Smirnov (Russian Federation) (*spoke in Russian*): We are grateful to the Assistant Secretary-General, Mr. Annabi, for presenting the report and for his briefing.

The United Nations Mission of Support in East Timor (UNMISET) completed its work on 20 May, achieving impressive success. Its contribution to the establishment and development of Timor-Leste's core State institutions cannot be overemphasized. By virtue, to a large extent, of the tireless efforts of United Nations peacekeepers and of police and civilian advisers, the capacities of the Timorese Government and its administrative institutions, armed forces and police have increased considerably, and many State Government tasks can now be addressed independently by Timor-Leste.

We express our sincere appreciation to the leadership of the United Nations Mission, headed by Special Representative of the Secretary-General Hasegawa, and also to the entire staff — past and present — of the Mission for their excellent work.

Despite the intensive joint efforts of the Timorese, the United Nations and other international partners, Timor-Leste continues to require multifaceted external assistance in order to ensure its security, stability and development.

For those specific reasons, the Security Council unanimously adopted resolution 1599 (2005) authorizing the establishment of a United Nations special political mission in Timor-Leste. We expect that, in the coming 12 months, the United Nations Office in Timor-Leste will successfully carry out the tasks before it and assist in the building of that young nation.

In that connection, the United Nations system, working with specialized international bodies, will need to continue to provide assistance to the Timorese in order to ensure the sustainable development of the country.

To ensure lasting stability in Timor-Leste, it is important to maintain good-neighbourly, mutually beneficial relations with the countries of the region, above all with its neighbours. We welcome the steady improvement that has taken place in Timorese-Indonesian relations. We hope that the bilateral Truth and Friendship Commission, which will begin work soon, will continue further to broaden cooperation between the two States and contribute to the prompt addressing of the remaining outstanding issues.

The President: I shall now make a statement in my capacity as the representative of Denmark.

I, too, would like to thank the Assistant Secretary-General for his briefing, and I would also like, through Mr. Annabi, to thank the Special Representative of the Secretary-General and the entire personnel of the United Nations Mission of Support in East Timor (UNMISET) for their excellent work. The United Nations has contributed very significantly to the last five years' progress in Timor-Leste, and we fully support the continuing work of the United Nations in that country.

Denmark associates itself with the statement that the representative of Luxembourg will make shortly on behalf of the European Union.

My Government welcomes the continuing positive political developments in Timor-Leste. Recent events show that democracy in Timor-Leste is still fragile but also vibrant and functioning. Noticeable progress has been made in the electoral field through the holding of local elections and progress is reflected also in the National Parliament's endorsement of the first Provedor (or ombudsman), for Human Rights and Justice of Timor-Leste.

We further welcome the recent visit to Timor-Leste of the President of Indonesia and the subsequent signing by the Foreign Ministers of the two countries of a Provisional Agreement on the Borderline between their countries. Efforts to solve ail outstanding issues and to further improve and strengthen the relations between Timor-Leste and Indonesia must continue.

My Government is concerned about the lack of progress in the fight against impunity. The issue of serious crimes committed in Timor-Leste in 1999 is a concern not only for the two countries, but also for the international community at large. The fight against impunity is of significant importance to the people of Timor-Leste and for the development of the country. The perpetrators of these crimes must be brought to justice.

In that respect, we welcome the recent visit by the Secretary-General's Commission of Experts to Timor-Leste and the expected visit to Indonesia by the Commission. We urge the two parties to fully cooperate with the expert Commission and look forward to the report of the Commission.

With the closure of UNMISET and the establishment of the United Nations Office in Timor-Leste (UNOTIL), the focus of international assistance is now on peacebuilding and development in Timor-Leste. My Government supports an approach based on national ownership that places the people of Timor-Leste in the driver's seat. We therefore welcome the fact that the number of international United Nations advisers will be reduced over the coming months to give room for the Timorese to assert their leadership. We urge the United Nations to ensure a smooth transition from UNMISET to UNOTIL.

I now resume my functions as President of the Council.

The next speaker on my list is the representative of Australia, to whom I give the floor.

Mr. Tesch (Australia): Thank you very much, Madam President, for convening this meeting. Let me also join others in thanking Mr. Annabi for the comprehensive briefing he has given the Council on the Secretary-General's end of mandate report on the United Nations Mission of Support in East Timor (UNMISET) (S/2005/310).

As underlined in that report, Timor-Leste has come a long way from a very low base since achieving independence three years ago. Much has been done to build the necessary institutions and skills to allow Timor-Leste to move towards self-sufficiency. The successful conclusion of UNMISET's peacekeeping mandate in a few days' time, on 20 May, is testament to the progress that has been made and signals a new phase in Timor-Leste's development as a democratic and peaceful nation.

Australia congratulates Timor-Leste on its remarkable progress. There is no doubt that the United Nations, in partnership with the donor community, has played a key role in restoring security and stability in Timor-Leste. The engagement of the United Nations in Timor-Leste will be a case study of how the Organization can work and how it can make a difference. The United Nations should be proud of its efforts in Timor-Leste and we, like others, readily and gratefully acknowledge all of those who have contributed to that success. However, a great deal of the credit must also go to the people of Timor-Leste and to their leaders for their determination and hard work to consolidate the gains that they have made over the past five years. The help and good will of the Indonesian people and their Government has also contributed greatly to that end. We also wish to commend the efforts of the Governments of Timor-Leste and Indonesia in developing productive relations and a cooperative approach to border management issues.

Australia has been at the forefront of international efforts to support Timor-Leste's transition to an independent and secure State. We coordinated and led the original multi-country International Force in East Timor to restore law and order in 1999. We have supported and contributed to all subsequent missions, from the United Nations Transitional Administration in East Timor to UNMISET, and we remain one of the largest bilateral donors to Timor-Leste, having provided $400 million in assistance since 1999. But it is clear that much more needs to be done to assist Timor-Leste to achieve self-sufficiency. Australia therefore welcomes Security Council resolution 1599 (2005) authorizing a special political mission, the United Nations Office in Timor-Leste (UNOTIL), as a successor mission to UNMISET. UNOTIL will play an important role in continuing the transfer of necessary skills to Timor-Leste's institutions, but at the same time, the international community must remain engaged in Timor-Leste. In particular, further support must be provided to develop Timor-Leste's police and security forces and the legal and justice systems. Only through improvements in those critical areas can Timor-Leste achieve its long-term development goals.

As we mark the end of UNMISET's mandate, it is appropriate to reflect on the significant contribution the United Nations has made in Timor-Leste and on the progress that Timor-Leste has achieved. But we should not overlook the fact that the process of nation-building is not complete. The United Nations and the international community must remain committed to Timor-Leste over the longer term. Australia, for its part, will continue its long tradition of support for Timor-Leste to ensure its transition to secure and self-reliant statehood. As a neighbour and a friend, we can be relied upon to continue with that effort.

The President: I call now on the representative of Luxembourg.

Mr. Hoscheit (Luxembourg) (*spoke in French*): I have the honour to speak on behalf of the European Union. The acceding countries Bulgaria and Romania, the candidate countries Turkey and Croatia, the countries of the Stabilization and Association Process and potential candidates Albania, Serbia and Montenegro and the former Yugoslav Republic of Macedonia align themselves with this declaration.

The European Union is pleased to have the opportunity today to make some observations on the United Nations Mission of Support in East Timor (UNMISET). Four days before its mandate expires, the European Union thanks Mr. Annabi for the report which he has just introduced, above all because we believe that the United Nations has achieved a great deal in supporting the Timorese people in their quest for peace, independence and development since the establishment of the United Nations Mission in East Timor (UNAMET) in 1999. Today's meeting is an occasion to remember all those who lost their lives to bring peace and freedom to others and to pay tribute to the dedication and professionalism of the United Nations Transitional Administration in East Timor (UNTAET), as well as to the leadership of the former Special Representative of the Secretary-General, the late Sergio Vieira de Mello, in assisting the people of Timor-Leste in their transition towards independence.

We also commend the entire personnel of the United Nations Mission of Support in East Timor for its invaluable contribution over the last three years to ensure a smooth transition from peacekeeping to a sustainable development framework in Timor-Leste, under the able leadership of the successive Special Representatives of the Secretary-General, Mr. Kamalesh Sharma and Mr. Sukehiro Hasegawa.

In its previous statement on this issue in February (see S/PV.5132), the European Union endorsed an adequate continued United Nations presence in Timor-Leste after the expiration of UNMISET's mandate. We welcome the adoption of resolution 1599 (2005) which established a one-year follow-on special political mission mandated, inter alia, to support the development of critical State institutions through specialized training and technical advice and to promote the rule of law, democratic governance and human rights. Through implementation of that mandate the mission will assist the Timorese in their continuing journey towards self-sustainability. Nevertheless, international assistance should complement the efforts of the United Nations Office in Timor-Leste (UNOTIL) in supporting Timor Leste's public administration.

Today's meeting also allows for a review of the overall political situation in Timor-Leste three years after its independence. Of course, the European

Union's assessment has not changed substantially since the end of February, when I last had the honour of taking the floor in this Chamber on the question of Timor-Leste. Our message largely remains the same: tangible progress has been achieved in numerous areas, but challenges remain in others, and further international assistance is essential. In that context, priority should be given to the implementation of quick-impact projects.

The European Union welcomes the peaceful holding of local elections in three further districts and the progress achieved in reinforcing the legal framework of Timor-Leste. Efforts to strengthen the judicial system should be continued in order to ensure real access to justice for all citizens and the respect of due process. The recent visit of the President of Indonesia to Timor-Leste demonstrates that relations between the two neighbours continue to be strengthened.

However, we remain concerned at the lack of progress in the fight against impunity. Those responsible for serious human rights violations committed in Timor-Leste in 1999 must be held accountable for their crimes, in conformity with Security Council resolutions 1573 (2004) and 1599 (2005). In that context, the European Union urges all parties to cooperate fully with the Commission of Experts appointed by the Secretary-General to review the judicial process in the two countries. We look forward to the Commission's upcoming report and recommendations proposing ways to address the issue, including how examination of the question could assist the Truth and Friendship Commission recently created by Indonesia and Timor-Leste. We hope that the two commissions can work together to ensure that justice is done.

The European Union welcomes the fact that the overall security situation in Timor-Leste has remained generally calm and stable, while recognizing the need for the international community to remain vigilant in that regard.

Since 1999, the European Union and its member States have provided vital assistance to Timor-Leste, contributing nearly €700 million to its development. That represents half of the foreign aid the country has received. The support provided by the European Union covers all sectors and, in the near future, as a new member of the African, Caribbean and Pacific (ACP) States, Timor-Leste will also benefit from the European Development Fund, which supports the signatories of the EU-ACP Cooperation Agreement.

I would like to conclude by expressing our appreciation for the efforts of the Government of Timor-Leste and the determination of the Timorese people to build a viable, just and democratic State. The European Union is committed to remaining a reliable partner in assisting Timor-Leste to achieve long-term stability and sustainable economic development, in close coordination with other bilateral and multilateral donors.

The President: I now give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): My delegation congratulates you, Madam, on your assumption of the presidency of the Council for the month of May and for arranging this open debate. Before I continue, let me thank the Secretary-General for his report contained in document S/2005/310.

My delegation would also like to express its appreciation to the Assistant Secretary-General for Peacekeeping Operations, Mr. Hédi Annabi, for his comprehensive briefing and to the Special Representative of the Secretary-General for Timor-Leste, Mr. Sukehiro Hasegawa, for his dedication to his assignment and his leadership in the implementation of the mandate of the United Nations Mission of Support in East Timor (UNMISET) since last year. We thank him for bringing that mandate to a successful conclusion.

Indonesia acknowledges the work that UNMISET has done over the past two years, particularly in helping to provide the young nation with the assistance required to meet the goals of political stability, security and self-reliance. We have always underlined that the objective of UNMISET's mandate was to contribute significantly to the efforts to guide Timor-Leste to self-reliance and self-sufficiency. The core administrative structures critical to the viability and political stability of Timor-Leste now function well, and we are pleased that, by and large, the basic objectives of UNMISET's mandate have been met.

Remarkable progress has been made by the Government and the people of Timor-Leste under their forward-looking leaders in building their own country in the short period since it obtained full sovereignty in

May 2002. The new State has become a peaceful, politically dynamic and stable nation. It also continues to make progress in economic and social development, the strengthening of law and order and the consolidation of democracy. However, the challenges ahead are daunting for Timor-Leste. The country still has the lowest levels of human development in Asia, and continued efforts will be needed to strengthen its national capacity to consolidate political stability, strengthen the fabric of social harmony and create sustainable economic development. Despite the successful completion of UNMISET's mandate in helping Timor-Leste towards self-reliance, continued international assistance is still needed.

In that regard, my delegation is pleased to note that the Security Council has established a special political mission, the United Nations Office in Timor-Leste (UNOTIL), for a period of one year. The objectives of the mission will include further support of the development of critical State institutions, the development of the police and the Border Patrol Unit and the provision of training. It is our hope that UNOTIL will strengthen the consolidation phase that UNMISET began one year ago and, during its one-year mandate, will plan assiduously for a smooth transition to the development assistance framework that is envisaged by the Council in resolution 1599 (2005).

UNOTIL has a very important assignment ahead of it. In order to ensure its success, and in the best interests of the Government and the people of Timor-Leste, UNOTIL should be able to deliver the needed assistance in an effective and efficient manner. That is particularly important as Timor-Leste constructs and consolidates efficient and effective State structures, which are crucial to democracy and development. It is also vital to the mission that it recognize the importance in every aspect of its work of giving the Timorese a sense of ownership and participation. Indonesia would warmly support that approach and would do its best as a friendly neighbour to provide whatever assistance it can. In that regard, permit me to mention that our training of 100 Timorese police officers, who are already in Indonesia, will begin soon.

As the Council well knows, Indonesia and Timor-Leste have continued to enjoy excellent bilateral ties marked by the exchange of visits at the highest levels of leadership, extensive cooperation in many fields and progress in addressing residual issues. Following the joint declaration issued by the leaders of the two countries in Bali on 14 December 2004, in which they affirmed their desire and determination to enhance the stable and mutually beneficial relationship between their two countries, the exchange of visits among the leaders of the two countries continues. The latest was the visit of President Yudhoyono to Dili last month. That visit laid a firmer foundation for bilateral relations and contributed to reconciliation between the peoples of the two countries.

In that connection, we note that bilateral cooperation has not only deepened but expanded. The Joint Commission at the level of Foreign Ministers remains instrumental in furthering bilateral cooperation in the economic, social, cultural, security and educational fields. Its subsidiary bodies, which deal with a variety of cooperation issues, are active throughout the year, and their work is reviewed at the annual meeting of the Commission. I would also like to mention that last month, President Xanana Gusmão of Timor-Leste was invited to attend the Asian-African Summit and he did so, thereby bringing Timor-Leste into the wider cooperation context.

Let me now turn to the issue of the Commission on Truth and Friendship. As a joint effort of the Governments of Indonesia and Timor-Leste to address some of the issues of our common past, in particular that of reported human rights violations in 1999, it is our conviction that it is our responsibility and our unique role to address that period of our history in a way that will appeal to the peoples of both nations. We continue to believe that the Commission remains the best mechanism to provide an acceptable solution to heal the wounds and unload the burden of the past in order to continue to foster bilateral relations and friendship among our peoples.

The terms of reference of the Commission on Truth and Friendship were announced in a joint declaration by the Presidents of both countries on 9 March 2005, and various stakeholders in both countries, including their parliaments, were consulted. The Commission enjoys the support of a wide spectrum of society and meets the domestic requirements and constitutional provisions of both of our countries. The recruitment of its members will be completed very soon. The process is being conducted very carefully in order to ensure that only candidates of high credibility who meet the required qualifications become members.

In this regard, my Government is also aware that Security Council resolution 1599 (2005) adopted last month requested the Secretary-General's Commission of Experts to explore possible ways of assisting the work of the Commission on Truth and Friendship. As a token of my Government's cooperation, in particular in facilitating the work of the Commission of Experts in this regard, my Government has invited members of the Commission of Experts to visit Indonesia from 18 to 20 May. We look forward to the positive contributions of the Commission of Experts to the work of the Commission on Truth and Friendship in bringing closure to that residual issue.

I would also like to say a few words about the boundary issue. As reflected in the report of the Secretary-General (S/2005/310) and as mentioned in the statements of other colleagues, during the course of the visit of President Yudhoyono to Timor-Leste last month the Foreign Ministers of both nations signed the Provisional Agreement on the Borderline. The Agreement established a provisional borderline covering approximately 96 per cent of the land border and came into effect on 8 May 2005. Regarding the remaining 4 per cent, which is located along the Oecussi enclave border, the Technical Subcommittee has continued to hold discussions and met again this month following the signing of the Agreement. Next month, the job of placing border markers along the agreed sections will commence.

Let me point out that the agreement by both sides on most of the land border will substantially facilitate border management and cooperation in the field of border security. Therefore, both countries are now in a better position to deal with any issues relating to the border within a bilateral framework.

In conclusion, I would like to express my confidence that, given the cooperation and assistance of the international community, within both bilateral and multilateral frameworks, Timor-Leste will quickly become self-reliant.

Mr. Mohd. Radzi (Malaysia): My delegation thanks the Secretary-General for his report (S/2005/310) on the ending of the mandate of the United Nations Mission of Support in East Timor (UNMISET) and the preparations for the implementation of the mandate of the United Nations Office in Timor-Leste (UNOTIL), whose establishment was authorized by Security Council resolution 1599 (2005), for a one-year period until 20 May 2006.

My delegation also thanks Mr. Hédi Annabi, the Assistant Secretary-General for Peacekeeping Operations, for his clear presentation of that report earlier this afternoon. We commend Special Representative Hasegawa and members of the civilian, military and police components of UNMISET for their dedication and invaluable contribution to the process of nation-building in Timor-Leste. Malaysia takes special pride in the fact that we were able to actively contribute to UNMISET by having a Malaysian assigned as a Force Commander and by contributing military and police personnel, among others, to serve under the banner of the United Nations in Timor-Leste.

Malaysia fully appreciates the important roles played by UNMISET in providing security and facilitating the country's advancement towards progress and development. We must acknowledge that UNMISET has made tremendous contributions toward the development of political, economic, social, legal and judicial institutions in Timor-Leste. In particular, the Mission has played crucial role in assisting in building the capacity of Timorese State institutions during the consolidation phase of UNMISET. These advances could not have been achieved without the full commitment, determination and strong resolve of the country's leadership and the support of the Timorese people in general, coupled with sustained assistance and cooperation from the international community.

We recall that the previous report of the Secretary-General (S/2005/99) indicated that international assistance would continue to be required beyond the expiration of UNMISET's mandate on 20 May 2005 to ensure that the underpinnings of a viable State are firmly in place. We share the view that more remains to be done. We therefore urge that continuing support be channelled to the Government of Timor-Leste to sustain the remarkable gains achieved thus far and to enable the young nation to continue to build on its progress. As the ending of UNMISET's mandate will open another chapter in the nation-building of Timor-Leste, Malaysia welcomes the Council's decision to remain engaged by maintaining an operational presence on the ground through UNOTIL until 20 May 2006.

My delegation notes that even though UNOTIL may not be able to secure all of the resources suggested

by the Secretary-General in his previous report, we share his optimism that the United Nations Office in Timor-Leste will nonetheless be in a position to assist in the key areas — notably the judiciary, public administration, law enforcement, security and stability of Timor-Leste — through the generous cooperation and contribution of the international community.

In that connection, we all should seriously consider the Secretary-General's call for the international community to seek alternative ways to meet crucial requirements that will remain following the withdrawal of UNMISET. In consolidating the gains achieved thus far, it is essential that the transition from the phase of peacekeeping operations resolving conflicts to the next phase, development, be conducted with the cooperation and contribution of all bilateral and multilateral partners. In that regard, Malaysia remains committed to do its utmost within its modest capacity to contribute towards further assisting Timor-Leste in fulfilling its nation-building endeavours, including through the continuation of bilateral technical assistance.

Finally, I wish to emphasize that it is incumbent upon the international community to continue to lend its vital assistance to ensure the success of UNOTIL as it undertakes its one-year follow-up mission, until 20 May 2006. As it focuses on the transfer of skills and knowledge to build the capacity of the public institutions in Timor-Leste, there will be areas where the international community can contribute to further the development and strengthening of the rule of law, including justice, human rights and support for the national police and other aspects of public administration.

The assistance of the international community will also be needed in areas beyond the support provided by UNOTIL, including security needs to promote stability and ensure the safety of United Nations personnel. Malaysia is convinced that, with the efforts of the Government and the people of Timor-Leste, along with the support of the United Nations and the international community, Timor-Leste will continue to make progress in its nation-building endeavours.

The President: I now give the floor to the representative of Portugal.

Mr. Salgueiro (Portugal): I would like to thank the Secretary-General for his final report (S/2005/310) on the United Nations Mission of Support in East Timor (UNMISET), as well as Assistant Secretary-General Hédi Annabi for his presentation. I take this opportunity to praise the dedicated efforts of the civilian, military and police components of UNMISET, under the leadership of Special Representative Hasegawa, and to congratulate them for their many achievements in Timor-Leste.

Portugal subscribes to the statement made by the representative of Luxembourg on behalf of the European Union. I will only add a few comments of our own.

First, we welcome the important work being carried out by the independent Commission of Experts appointed by the Secretary-General to review the prosecution of serious human rights violations committed in Timor-Leste in 1999. In that context, we look forward to considering its final recommendations.

We also note the positive developments in Timor-Leste's relations with its neighbours, in particular the highly symbolic visit of President Yudhoyono to Dili last April. We welcome the progress towards resolving issues key to the Timorese, such as finalizing the demarcation of land and maritime borders.

We welcome resolution 1599 (2005), which was adopted by the Council on 28 April and which establishes a one-year follow-on special political mission in Timor-Leste.

Although the security environment remains calm and stable, we believe it is important for the Security Council to follow the situation on the ground with particular attention, taking into account the removal of the last United Nations troops.

Timor-Leste is in a critical period of its peacebuilding process. The report of the Secretary-General clearly outlines a number of areas still in need of international assistance. In particular, police capacity-building is of great concern to us. In that regard, Portugal is currently working closely with the Secretariat in order to coordinate our offer to provide bilateral support, in the form of 30 gendarmerie officers, in the efforts of the United Nations Office in Timor-Leste (UNOTIL) to assist the national police.

My final comment pertains to the responsibility of the international community and of the United Nations in this important period of Timor-Leste's recent history. Timor-Leste should continue to benefit from the organized and coherent support of the United

Nations system. We are all aware that, despite the significant steps that the country has taken in institution-building and in becoming a viable State, much more remains to be done. International support, both bilateral and multilateral, must be forthcoming. We have achieved a lot, and we must safeguard that investment by ensuring that Timor-Leste continues to benefit from the assistance of the international community.

In that context, I would like to point out that, from 1999 to April 2005, Portugal invested about $450 million in bilateral investment, development programmes and technical-military cooperation in Timor-Leste. Moreover, a significant part of the equipment utilized by the former Portuguese military contingent in UNMISET, amounting to over $20 million in value, was donated by Portugal to the Government of Timor-Leste in June 2004.

Our involvement, however, is far from being exclusively financial. With the same objective of practical involvement, Portuguese nationals in their thousands have taken part in UNMISET — and in the United Nations Transitional Administration in East Timor before that — from peacekeepers to civilian police observers to civil servants and volunteers. Portugal is ready to maintain that level of support to Timor-Leste. We encourage other countries to do the same as we continue to closely follow developments in Timor-Leste, in particular as the transition from UNMISET to UNOTIL is carried out.

The President: I now give the floor to the representative of Timor-Leste.

Mr. Guterres (Timor-Leste): Allow me to congratulate you, Madam, and your country on your assumption of the presidency of the Security Council, as well as to wish you every success. We would like to thank you and the other members of the Council for the opportunity to share our thoughts on an issue of great importance to my country.

We welcome the Secretary-General's report (S/2005/310) on the end of the mandate of the United Nations Mission of Support in East Timor (UNMISET). Also, we thank Assistant Secretary-General Hédi Annabi for his comprehensive briefing.

We would like to take this opportunity to thank the former Special Representative of the Secretary-General, Mr. Kamalesh Sharma, the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, the Deputy Special Representative, Mr. Atul Khare, and all the military and civilian members of UNMISET for their invaluable contribution to peace, stability, justice and capacity-building in Timor-Leste. As we enter this new, and final, phase of the United Nations mission, we would like also to thank all troop- and police-contributing countries.

We welcome the adoption of resolution 1599 (2005) and the mandate of the new mission, the United Nations Office in Timor-Leste (UNOTIL). We thank the Council for extending the United Nations presence in Timor-Leste for a final year. At the same time, we would like to say that we share the views set out in paragraph 31 of the report of the Secretary-General, concerning the absence of provision for a back-up security force in resolution 1599 (2005). While we recognize our insufficient capacity, the Government of Timor-Leste is deeply committed to peace and stability. We will make every effort to protect all United Nations personnel.

We also welcome the Secretary-General's assessment that the justice and finance sectors should be considered priority areas when allocating the 45 adviser posts to the various State institutions.

The political and social environment in Timor-Leste remains peaceful and dynamic. Last month, the Catholic Church organized a demonstration that lasted for 20 days. During that time, despite some fears of instability, the Government and the President initiated a very constructive dialogue with Church leaders in which an agreement witnessed by President Xanana Gusmão was signed between Prime Minister Mari Alkatiri and Bishops Basilio Nascimento and Alberto Ricardo. That was a very challenging time for our new democratic institutions; but, in the words of the Prime Minister, it was a victory for the people of Timor-Leste. According to that agreement, the Government will include the teaching of religion as a regular discipline in the school curriculum. It also gives parents the right to choose such instruction at the time they enrol their children at school. At the same time, a joint working group will be created to follow up the implementation of the agreement and to deal with matters of concern.

The local elections held in the eastern and central parts of my country were very successful and further consolidated democracy in Timor-Leste.

The President of Indonesia, His Excellency Mr. Susilo Bambang Yudhoyono, paid an official visit to Timor-Leste on 8 and 9 April. The visit reinforced the friendship, solidarity and cooperation between our two countries and peoples. The two Governments are committed to resolving remaining issues of mutual concern and to looking to the future. The Government of Timor-Leste welcomed the decision of the Government of Indonesia to provide training to Timorese police officers in Indonesia and to continue the scholarship programme for Timorese students, also in Indonesia. On the occasion of the visit, the foreign ministers of our two countries, Mr. Hassan Wirajuda and Mr. Ramos-Horta, signed a provisional Agreement covering 96 per cent of the land border. The Timorese people were deeply touched by the visit of the President of Indonesia to the Santa Cruz cemetery.

Regarding negotiations on the maritime boundaries and the sharing of gas and oil resources with our southern neighbour, Australia, we completed another round of negotiations last week in Sydney, Australia, and the Government of Timor-Leste is carefully studying the proposals in order to achieve a fair and just agreement.

At the same time, we have consolidated our relations with countries of the Association of South-East Asian Nations, as evidenced by the successful official visit by Senior Minister and Minister for Foreign Affairs and Cooperation, Mr. Ramos-Horta, to Malaysia and Singapore.

Regarding issues of justice and human rights, the Governments of Timor-Leste and of Indonesia created — as the Council well knows — a bilateral Truth and Friendship Commission on 9 March this year.

At the same time, we have cooperated fully with the independent Commission of Experts established by the Secretary-General. During its recent visit to Timor-Leste from 5 to 10 April, the Commission met with leaders of the country, as well as with civil society and with relatives of the victims.

We would also like to welcome the decision by the Government of Indonesia to invite the independent Commission of Experts to visit Jakarta this month.

To consolidate achievements in the area of human rights and justice, the National Parliament endorsed, on 29 March, Mr. Sebastiao Dias Ximenes as Ombudsman for Human Rights and Justice — the very first in our history.

While we have achieved progress in various areas, Timor-Leste remains one of the poorest nations in the world, with a very high rate of unemployment and a low gross national per capita income of about $520, as recognized by the World Bank's "Green Book", published last month. Despite all of those economic indicators, the Government of Timor-Leste is determined to create a better life for its people. To that end, the support of the international community is necessary. That support was reaffirmed during the most recent meeting of development partners in April 2005 in Dili.

In conclusion, we would like to express our gratitude to the Security Council, Secretary-General Kofi Annan, the Department of Peacekeeping Operations, the Department of Political Affairs, United Nations agencies and the international community at large for their continued commitment to and support for peace and stability, democracy, development, human rights and the rule of law in Timor-Leste. We wish every success to the new mission, the United Nations Office in Timor-Leste.

The President: I give the floor to Mr. Annabi to respond to the statements that have been made.

Mr. Annabi: I will gladly convey to the Special Representative and to all the staff of the United Nations Mission of Support in East Timor the kind words of Council members regarding the work of the Mission over the past three years. There is no doubt that Timor-Leste has achieved a lot in very little time, and the United Nations is proud to have had the privilege of accompanying the people of Timor-Leste in their efforts over the past five and a half years to build sustainable and democratic State institutions.

Some speakers described the role of the United Nations in Timor-Leste as a model for successful peacekeeping and as a remarkable success story. Success in the real world, of course, is often less well remembered than some of the setbacks that we encounter. Let us hope that this success will be duly remembered. But at a time when the United Nations is closing a chapter in the history of its involvement in East Timor and opening a new one, I think that we should remember most of all the exemplary work of Sergio Vieira de Mello, who devoted two and a half of the last years of his life to assisting the people of East

Timor to prepare for and achieve their long-cherished goal of sovereignty and independence. He will remain a role model for all those who believe in what the United Nations stands for.

The President: I thank Mr. Annabi for his comments.

There are no more speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.05 p.m.

Security Council

Sixtieth year

Provisional

5181st meeting

Wednesday, 18 May 2005, 10 a.m.
New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mrs. Patterson

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-34811 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs. I now give him the floor.

Mr. Prendergast: I would like to start, if I may, with the Quartet meeting held in Moscow on 9 May. The aim of the meeting was to review the current situation in the Middle East, with a particular focus on Gaza disengagement. The Secretary-General, Secretary of State Rice, European Union High Representative Solana and their host, the Foreign Minister of the Russian Federation, Sergey Lavrov, took the opportunity to reiterate the Quartet's commitment to the two-State solution and their support for Israeli withdrawal from Gaza and parts of the northern West Bank as a way of re-energizing the road map. The principals reminded both parties of the need to avoid unilateral actions that might pre-judge final status issues, and they urged the parties to implement their obligations under the road map.

The Quartet's substantive discussion focused on how best to help the parties maintain the momentum at this fragile moment of opportunity. The Quartet expressed its full support for the important tasks of its Special Envoy for Gaza Disengagement, Mr. James Wolfensohn, and for Lieutenant-General William Ward, United States Security Coordinator, both of whom were present at the meeting in Moscow.

Mr. Wolfensohn briefed the Quartet principals on his first round of talks with the parties in the region. His priority is a rapid-action programme aimed at bringing about immediate and tangible improvement for Gazans in the situation on the ground prior to the pullout and, simultaneously, to build momentum for Palestinian economic recovery and a more viable future State. Mr. Wolfensohn stressed that his mission would support and strengthen the role of the Palestinian Authority. He also emphasized that he would be working with, and complementary to, existing donor structures.

I am very pleased to report that the new United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Mr. Alvaro de Soto, was able to join the Secretary-General and me in Moscow. Mr. De Soto, whose duties include acting as the Secretary-General's envoy to the Quartet, brings to his new position a very wide range of experience in United Nations peacemaking. I am sure that he will want to brief the Council himself in the next month or two on his first impressions.

Prime Minister Sharon announced on 9 May that the Gaza disengagement would be delayed by three weeks from the original target date to avoid a traditional Jewish period of mourning. The practical preparations for the withdrawal, however, are progressing, as are the Government's efforts to find acceptable solutions for the relocation of settlers — this despite escalating opposition from a vocal minority of the Israeli public, as witnessed in the widespread protests and demonstrations that occurred on 16 May and earlier on 27 April.

Fortunately, the stated readiness of Israelis and Palestinians to coordinate the Israeli disengagement has begun to be reflected in practice. On 21 April, direct talks were renewed between the parties after a gap of more than a month. The various players included the Israeli Vice Prime Minister and Defence Minister as well as Prime Minister Sharon's senior adviser and, on the Palestinian side, the Prime Minister, the Minister for Civil Affairs and the Palestinian Chief Negotiator. We hope that in the near future, Prime Minister Sharon and President Abbas will continue the dialogue that they began at Sharm el-Sheikh in February.

I would like to stress once again the need for dialogue and coordination. The Israeli withdrawal from

Gaza and the northern West Bank marks an important landmark in Israeli-Palestinian relations. The evacuation of settlements in the occupied Palestinian territory sets an important precedent. Continued bilateral coordination will be one way to ensure that disengagement proceeds successfully and contributes to the momentum for peace. Combined with the efforts of the Quartet's Special Envoy for Gaza Disengagement, in particular on the economic front, the Israeli pullout should be seen as a highly significant step along the road towards realizing the vision of two States, Israel and a sovereign, viable and contiguous Palestine, living side by side in peace and security.

In recent weeks and months, the Palestinian Authority continued to take specific steps towards reforming the structure of the security services. As confirmed by Lieutenant-General Ward, there was ongoing work to consolidate the fragmented Palestinian security services into three agencies under the authority of the Ministry of Interior. New heads of the security services have been appointed and the security retirement law is being implemented. Furthermore, both President Abbas and Interior Minister Yousef issued strong statements concerning the illegal possession of arms.

The Quartet welcomed those developments at its meeting on 9 May, but emphasized the need for the Palestinian Authority to continue implementing such reforms in order to reinstate law and order in Gaza and the West Bank and to meet its road map obligation to end violence and terror. In his briefing to the Quartet, General Ward noted that reform was an urgent priority for the short-term and long-term success of the Gaza disengagement process, as the Palestinian Authority must be able to secure its borders, assets and crossing points.

Events on the ground can be an accurate indicator of the underlying dynamic of a situation. The current level of violence between Palestinians and Israelis still remains far below that which prevailed before the Sharm el-Sheikh summit. However, as I pointed out in last month's briefing, we are concerned by reports of a slow but steady increase in violent incidents, compounding a corresponding deterioration in trust and confidence between the two sides. The violence included attacks by Palestinian militants against Israelis, clashes between Israeli security forces and Palestinian protestors and Israeli arrest operations against wanted militants. Eight Palestinians and one Israeli were killed, and some 133 Palestinians and 25 Israelis were injured. Among the fatalities were two Palestinian teenagers who were shot when a group of youths threw stones at Israeli bulldozers working on the construction of the barrier near Beit Lakia in the West Bank. The Israel Defence Forces (IDF) is reportedly investigating that tragic and most unfortunate incident.

It is also cause for grave concern that the Israeli security forces reported intercepting a number of would-be suicide bombers in the West Bank. On 4 May, the IDF discovered and detonated a 40-kilogram bomb north of the Sufa crossing between Gaza and Israel. In Gaza, Palestinian militants resumed firing mortar shells and Qassam rockets, fortunately causing no casualties, but damaging properties in Israeli settlements and in Israeli villages and towns outside the Gaza Strip.

There is no doubt as to the legitimacy of Israel's security concerns. The Palestinian Authority must strengthen its efforts to end all violent activity and must produce tangible results on the ground. Meanwhile, Israel can and should do more to support the Palestinian leadership in its difficult task. The doubts and the suspicions on both sides may be understandable, but they need to be addressed through constructive engagement and sustained bilateral contacts.

Specifically, we urge Israel to work directly with the Palestinians to find a way to implement the commitments made at Sharm el-Sheikh. Further delays in handing over the remaining three Palestinian cities and in releasing prisoners threaten seriously to undermine President Abbas. It would be difficult for the Palestinian Authority to undertake sustained and sustainable action on security unless it is aided and supported in its efforts to rein in the militants. A significant and positive step forward in that context is Israel's reported approval of the deployment of hundreds of armed Palestinian police in all West Bank cities in order to strengthen the Palestinian Authority ahead of a transfer of further areas to Palestinian security control.

On 5 May, Palestinians held a second round of local elections in 84 municipalities in Gaza and the West Bank. Hamas won a substantial share of the vote and of the municipal councils. That is an indication of the support the militants enjoy among the Palestinian population, partly as a result of their engagement in social welfare activities. But it also reflects popular frustration with the Palestinian Authority.

The Palestinians continued with their preparations for the legislative elections still scheduled for 17 July. On 20 April, the Palestinian Legislative Council gave preliminary approval to a revised electoral law for the legislative vote, which envisages a two-to-one mix of constituency-based and national representation. A date for the third and final reading of the law has not yet been set.

Additional voter registration in preparation for the elections began on 7 May and will last until 21 May. Regrettably, on 10 May the Israeli authorities closed two voter registration centres and briefly detained two members of the Palestinian Central Elections Commission staff in East Jerusalem. We reiterate the Quartet's call on both Israel and the Palestinian Authority to undertake the steps necessary to ensure free, credible and transparent multi-party legislative elections in the West Bank, Gaza and East Jerusalem, including through the facilitation and conduct of the voter registration.

Despite the relative calm and the slight improvement in terms of closure conditions over the past two months, there has been little improvement in the dire Palestinian economic situation. Unemployment remained high, and even increased slightly to 32 per cent during the first quarter of 2005. Protest marches by unemployed workers in Gaza on 1 May highlight the need for urgent action to generate employment. We hope that the programme now in preparation by the Quartet's Special Envoy will make a significant contribution to alleviating the effects of the continued crisis.

We remain extremely concerned about the continued construction of Israel's barrier in the West Bank. On Monday, 16 May, the Israeli High Court of Justice rescinded the temporary injunctions it had previously imposed on the construction of the barrier around the West Bank settlement of Ariel. The route of the barrier in this area cuts deeply into occupied Palestinian territory. That is worrying not only because of the effects of the barrier on the daily lives of Palestinians, but also because it threatens unilaterally to prejudge the outcome of eventual bilateral negotiations between the parties.

While there have been some hopeful recent signs in Lebanon, the situation there too remains fragile. On 6 May, another bombing in a Christian neighbourhood, in the city of Jounieh, killed one person and wounded several others. We reiterate our condemnation of such attacks and stress the belief shared by the international community that Lebanon must be free of such acts of violence and intimidation.

Lebanon is now preparing for parliamentary elections later this month, which the new Government under Prime Minister Mikati has committed itself to hold, beginning on 29 May. A United Nations team began its work in Beirut on 9 May to prepare the provision of support and technical assistance for the elections. The United Nations will also support international observers deployed by other countries and organizations, with the aim of ensuring proper coordination amongst all observers.

The United Nations has continued its efforts to establish the international independent investigation commission to look into the assassination of former Lebanese Prime Minister Hariri, pursuant to resolution 1595 (2005). On 13 May, the Secretary-General announced his intention to appoint Detlev Mehlis as Commissioner. Mr. Mehlis, an experienced prosecutor, will deploy to Lebanon shortly. He will review the information collected by other investigative bodies to enable him to determine the starting point for his work. We plan to deploy investigators and other substantive personnel on a rolling basis in the coming weeks to enable the work of the Commission to proceed as quickly as possible.

A series of incidents last week escalated tensions along the Blue Line to an alarming degree. First, on 9 May, the IDF accidentally fired a shell into Lebanon, into an open area east of Al-Khiam, in the course of an operation to destroy booby traps in the Shab'a farms area. Then, on 11 May, a Katyusha rocket fired from the vicinity of Naqoura in Lebanon landed in the Israeli town of Shelomi, causing significant property damage. There was no reaction from the IDF. The following day, the IDF claimed that two missiles were launched from near Ghajar into the Shab'a farms, though no impact was reported. Though the United Nations Interim Force in Lebanon (UNIFIL) was unable to verify that claim, local residents reported hearing explosions. Finally, on 13 May, there was an exchange of fire between Hizbullah and the IDF. UNIFIL first recorded small arms fire from the vicinity of an IDF position in the Shab'a farms. Local Lebanese residents claimed a house was hit. This was followed by several loud explosions near IDF positions. Hizbullah claimed responsibility for the attack, stating that it came in

retaliation for the IDF machine gun fire into Kafr Shuba that morning and for the IDF shell of 9 May. Subsequently the IDF launched tank and artillery rounds, six aerial bombs and several rockets into a broad swathe of Lebanese territory from Kafr Kila to Shaba. There was also an exchange of fire between the IDF and Hizbullah in the general area south of Rmeich. Fortunately, no casualties were attributed to any of these incidents.

Hostile acts and infractions across the Blue Line must stop. While last week's firing incidents were ultimately contained, the risk was great that events could spiral out of control. It bears repeating in this Council that one violation cannot justify another.

Stability in south Lebanon depends to a large extent on the Government of Lebanon exercising its authority over all of its territory. The Secretary-General has reiterated his call upon the Lebanese authorities to exercise effective control throughout the country, to exert the Government's monopoly on the use of force and to put an end to all attacks emanating from Lebanese soil.

During the past month, Israeli air violations of the Blue Line also continued to occur, albeit less frequently. The Secretary-General has reiterated his concern regarding these continuing air violations and has reminded all parties of their commitment to fully respect the Blue Line, which was unanimously endorsed by the Security Council.

The people of the Middle East are now approaching a number of important turning points. It is our sincere hope that recent events in the region will be remembered as a new start on the road towards peace, rather than as a slide back into conflict and violent confrontation.

The President: I thank Mr. Prendergast for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.5182

Security Council

Distr.: General
23 May 2005

Original: English

Official communiqué of the 5182nd (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Monday, 23 May 2005, at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 23 May 2005, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 5182nd meeting in private with the troop-contributing countries to the United Nations Operation in Burundi (ONUB).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Ms. Carolyn McAskie, Special Representative of the Secretary-General for Burundi and Chief of Mission.

"Members of the Council, Ms. McAskie and representatives of participating troop-contributing countries had a constructive exchange of views."

05-35404 (E) 230505

United Nations S/PV.5183

Security Council

Distr.: General
23 May 2005

Original: English

Official communiqué of the 5183rd (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Monday, 23 May 2005, at 11 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 23 May 2005, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 5183rd meeting in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti (MINUSTAH).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Juan Gabriel Valdés, Special Representative of the Secretary-General and Head of the United Nations Stabilization Mission in Haiti.

"Members of the Council, Mr. Valdés and representatives of participating troop-contributing countries had a constructive exchange of views."

05-35410 (E) 230505

United Nations S/PV.5184

Security Council

Sixtieth year

Provisional

5184th meeting

Monday, 23 May 2005, 5.10 p.m.

New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Djeffal
	Argentina	Mr. García Moritán
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Guan Jin
	France	Mr. De La Sablière
	Greece	Mrs. Papadopoulou
	Japan	Mr. Kitaoka
	Philippines	Miss Aguinaldo
	Romania	Mr. Dumitru
	Russian Federation	Mr. Lepliskiy
	United Kingdom of Great Britain and Northern Ireland	Mr. McKenzie Smith
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Holliday

Agenda

The situation in Burundi

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-35501 (E)

The meeting was called to order at 5.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

The President: I should like to inform the Council that I have received a letter from the representative of Burundi, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Nkingiye (Burundi) took a seat at the Council table.

The President: The Security Council will now resume its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council took note with satisfaction of the declaration signed on 15 May 2005 in Dar es Salaam by the President of Burundi, Mr. Domitien Ndayizeye, and by the leader of the rebel group of Palipehutu-FNL, Mr. Agathon Rwasa. The Council took note in particular of the commitment by both parties to immediately cease hostilities, agree within a month on a permanent ceasefire, and negotiate without disturbing the electoral process.

"The Security Council shares the understanding that this declaration is a first step that should allow FNL to be rapidly integrated, in a negotiated manner, into the transitional process currently in progress in Burundi. The Council remains convinced that FNL's participation in this process will facilitate the holding of the forthcoming elections, in accordance with the timetable confirmed at the last meeting of member States of the Regional Initiative for Peace in Burundi, on 22 April 2005 in Entebbe.

"The Security Council commends the mediation of President Benjamin Mkapa and of the Government of the United Republic of Tanzania and, more generally, the efforts of States of the Regional Initiative chaired by Ugandan President Yoweri Museveni and of the Facilitation led by South African Deputy President Jacob Zuma, as well as those made by the Special Representative of the Secretary-General, to bring the peace and national reconciliation process in Burundi to a successful conclusion. The Council reiterates that bringing an end to the climate of impunity in Burundi and the Great Lakes region is essential to that process.

"The Security Council urges all Burundian parties to exert greater efforts to ensure success of the transition, national reconciliation and stability of the country in the longer term."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2005/19.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 5.15 p.m.

United Nations S/PV.5185

Security Council

Sixtieth year

Provisional

5185th meeting

Tuesday, 24 May 2005, 10 a.m.
New York

President:	Ms. Løj	(Denmark)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	China	Mr. Guan Jian
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Mercado
	Romania	Mr. Dumitru
	Russian Federation	Mr. Dolgov
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United Republic of Tanzania	Mr. Manongi
	United States of America	Mr. Holliday

Agenda

The situation in Sierra Leone

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-35584 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

The President: I should like to inform the Council that I have received a letter from the representative of Sierra Leone in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Pemagbi (Sierra Leone) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Judge Emmanuel Ayoola, President of the Special Court for Sierra Leone.

It is so decided.

I invite Judge Ayoola to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Judge Emanuel Ayoola, President of the Special Court for Sierra Leone, to whom I give the floor.

Judge Ayoola: It is a great honour for me to represent the Special Court for Sierra Leone today and to have the unique opportunity to brief the Council on the Court's efforts to implement its mandate in accordance with Security Council resolution 1315 (2000) of 14 August 2000 and the Agreement between the United Nations and the Government of Sierra Leone, signed on 16 January 2002.

I would like to start by thanking the Secretary-General for supporting my initial request that a briefing on the Court be held in the Council, and all Council members for accepting the suggestion of the Secretary-General.

In the course of my presentation, I will describe the progress of the Court to date and, as requested by the General Assembly in its resolution 58/284, I will introduce the updated version of the Special Court's completion strategy, adopted on 19 May 2005 by the Management Committee of the Special Court. I will also outline the challenges ahead, referring in particular to issues of funding, security and cooperation of States.

I will briefly outline those characteristics which make the Special Court different from the other international tribunals.

First, the Special Court is the first international tribunal to use "greatest responsibility" as its standard for prosecuting alleged perpetrators. Secondly, the Court is located in the country where the alleged crimes took place. Thirdly, the Special Court was established as an independent hybrid organization. Finally, the Special Court is the first international criminal court to be funded from the outset by voluntary contributions.

The Special Court began its operations in July 2002. I am happy to report that, since then, the Court has seen significant progress in many areas, in particular in the areas of personnel, infrastructure, prosecutorial activities and judicial activities.

The founders of the Court, the Government of Sierra Leone and the United Nations, deliberately sharpened the focus of the Court by limiting its mandate to those persons who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone in the relevant period.

Of the 13 indictments issued by the Prosecutor, 11 are currently active. In December 2003, the indictments against Foday Sankoh and Sam Bockarie were withdrawn as a result of their deaths. Of the 11 remaining accused, nine are currently in the custody of the Special Court in Freetown. Of the two remaining accused, Charles Taylor, the former President of the

Republic of Liberia, has been granted refuge in Nigeria; the leader of the Armed Forces Revolutionary Council, Johnny Paul Koroma, also remains at large. Although the Prosecutor has indicated the possibility of additional indictments, their number would be extremely limited and possibly linked to existing indictees.

In January 2004, the Trial Chamber issued decisions ordering three joint trials. As a result, three joint trials, instead of nine separate trials, are currently under way in the two chambers of the Special Court. Two trials began in June and July 2004, respectively, before the first Trial Chamber, which is alternating them on a six-week basis. In February 2004, the President of the Special Court requested a second Trial Chamber. Judges of the second Trial Chamber were appointed by the Secretary-General and the Government of Sierra Leone in January 2005, and the third trial began in March 2005.

At the time of its creation, the Special Court was envisaged as a cost-effective and time-efficient accountability model. It is to be remembered that, in paragraph 12 of a letter dated 12 January 2001 addressed to the President of the Security Council (S/2001/40), the Secretary-General indicated that three years would be the "minimum time required for the investigation, prosecution and trial of a very limited number of accused".

As the Court enters its fourth year of operations, the identification of a completion date for its operations becomes essential.

As outlined in the completion strategy which was submitted to the members of the Council, the Registry consulted with the Office of the Prosecutor and the Principal Defender in order to forecast a date for the completion of the ongoing trials.

Based on the current usage of court time, as well as actual witness hearing time, it is estimated that two of the three ongoing trials — namely those of the Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC) — will be completed at the trial chamber stage around the end of 2005 or in early 2006. Taking into account an estimated time for appeals of between four and six months, the appeals could finish by mid-2006.

The completion of the Revolutionary United Front (RUF) trial at the trial chamber stage is estimated to take place by the end of 2006, and at the appeals stage by early to mid-2007. The Registry, in consultation with the other organs, is actively working to ensure that this provisional estimate is further improved upon and that the appeals stage is completed by the end of 2006. It should be noted, however, that the appeals stage will require a smaller establishment compared to the trial stage.

In that context, I would like to underline that events before the Trial Chambers are, in our adversarial procedure, to a large extent, party-driven until decisions are made by the Trial Chambers. Apart from this, there are several factors that can influence the progress of the trial process, ranging from the number of witnesses to the illness or sudden unavailability of key individuals participating in the proceedings.

Nevertheless, the Court remains determined to complete the trials expeditiously, without sacrificing the integrity of the judicial process or the need for a fair trial to the need for expedition.

Let me turn now to some key issues, all of which have an impact on the completion strategy, namely those of funding, security and the cooperation of States in transferring to the Special Court those indictees who are still at large. Funding has been one of the main concerns of the Court since the early stages of its life. The funding issue is being raised against the background of the reluctance on the part of the United Nations at the inception of the Court to embark on another tribunal funded through assessed contributions, in addition to the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY). Resolution 1315 (2000) determined that the operations of the Special Court would be financed through voluntary contributions of funds, equipment and services from States and intergovernmental and non-governmental organizations. That financial arrangement was adopted in spite of the Secretary-General's concern that voluntary contributions would not provide an assured and continuous source of funding for the operations of the Court, and that a Special Court based on voluntary contributions would be neither viable nor sustainable.

As a compromise, however, the Secretary-General asserted, in article 6 of the Agreement between the United Nations and the Government of Sierra Leone on the establishment of a Special Court for

Sierra Leone (S/2000/915, annex), his right to revert to the Security Council should "voluntary contributions be insufficient for the Court to implement its mandate".

To date, the Special Court has received a total of approximately $54 million in voluntary contributions from 33 States, against a four-year budget of $104 million. As a result of that shortfall in voluntary contributions, the Secretary-General reverted to the Security Council and sought a subvention under the United Nations programme budget for special political missions to supplement voluntary contributions. With the Security Council's endorsement, the Secretary-General requested the General Assembly to appropriate up to $40 million for the Special Court. The General Assembly, at its fifty-ninth session, authorized a commitment authority of $20 million for the period 31 July 2004 to 30 June 2005.

The Fifth Committee is currently considering a further commitment authority of $13 million for the period 31 July to 31 December 2005.

I wish to emphasize that there is currently no assurance of funds for the Special Court beyond the end of 2005, even though the Registrar is pursuing additional voluntary contributions from Member States and other organizations, including the European Union. The Special Court has recently employed a consultant to develop a fund-raising strategy, which the Registrar will discuss this week with the Management Committee.

The Special Court will need funds not only to carry it through the end of the trials, but also, after rendering final judgements in the trials of all accused in custody, for the purposes of transferring any convicted persons to prisons outside of Sierra Leone and discharging a number of residual activities that will need to be carried out. These include the supervision of the enforcement of sentences, if any; the provision of support and protection to witnesses, particularly those who are relocated from Sierra Leone to other States; the maintenance of judicial records and archives; and, importantly, the retained capacity to prosecute any accused who have been indicted but who are brought into the custody of the Special Court after or shortly before the winding down process.

In addressing the issue of security, I take the opportunity to reiterate that a crucial feature which differentiates the Special Court from the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), is the location of the Special Court in the country in which the conflict took place. There are, no doubt, crucial advantages in locating the Court in the country where the conflict took place. However, the location in Sierra Leone has also resulted in considerable pressure on the operations of the Special Court as a result of the security situation. A very large part of the budget is devoted to security, namely 20 per cent, of which substantial resources have to be allocated to the protection of witnesses during the trial and post-trial phases.

The presence of the United Nations Mission in Sierra Leone (UNAMSIL) has been crucial in supporting the Special Court's mandate. I would like to commend UNAMSIL for the efficient security provided to the site of the Special Court. In particular, a company of Nigerian soldiers has been providing security since the early stages of the Special Court. That arrangement has been of the greatest assistance.

The Department of Peacekeeping Operations (DPKO) briefed the Council last week on UNAMSIL's withdrawal plan, and the Secretary-General has highlighted, in his latest report on UNAMSIL (S/2005/273), the fact that serious challenges continue to be faced in building durable peace in Sierra Leone, also in the light of the regional security situation. The report also notes that new security arrangements for the Special Court will need to be in place by early November 2005.

The Registrar has informed both DPKO in New York and UNAMSIL on the ground of our preferred options and our financial constraints, as no budgetary provision has been made for security post-UNAMSIL. It is felt that the only viable option for the Special Court is to retain an international force on site, preferably a military force or a formed police unit from the United Nations Mission in Liberia (UNMIL). To this end, DPKO has initiated consultations with UNAMSIL, UNMIL and the Special Court to provide recommendations to the Security Council by July 2005 and to ensure that arrangements are in place in due time. We hope that the Security Council will support the continued provision of security to the Special Court, as the Court was created as a part of the overall effort of the international community to bring lasting peace and stability to Sierra Leone.

Another crucial issue at this stage in the life of the Court concerns the transfer to the Court of those indictees who are still at large. In my capacity as President of the Special Court, I raise this issue without forming any opinion on the individual criminal responsibility of any person indicted before the Special Court, but to highlight the practical implications of outstanding cases.

As I have earlier mentioned in the course of this presentation, there are currently two indictees who are not yet in the custody of the Special Court in Freetown. The whereabouts of Johnny Paul Koroma, who is indicted with 17 counts, are not known. However, the indictment remains valid until evidence of his death may be available to the Prosecutor. The other indictee, Charles Taylor, who resigned as President of the Republic of Liberia in August 2003, has since that date been granted refuge in Nigeria. On 3 March 2003, the Prosecutor issued a 17-count indictment against him for crimes against humanity, violations of article 3 common to the Geneva Conventions and of Additional Protocol II and other serious violations of international humanitarian law. His indictment was disclosed by the Special Court on 12 June 2003. The Special Court has continued its efforts, so far unsuccessfully, to have Taylor transferred to Sierra Leone for the conduct of the trial against him, and all necessary logistical and financial arrangements are in place.

A delay in the transfer and trial of Charles Taylor will have a negative impact in terms of completion strategy, funding and security requirements. Also, the importance of trying Taylor and Johnny Paul Koroma before the Special Court cannot be overemphasized because of the strong impact that this would have on the perception that the people of Sierra Leone and of Africa have of the Special Court and of similar institutions, and on the Court's contribution to combating the culture of impunity.

The Special Court has, since its inception, endeavoured to play an active role in contributing to the consolidation of peace in Sierra Leone and to the development of the rule of law. Since the very beginning of its operations, the Court has been aware of the need for a strong outreach programme in order to take full advantage of the unprecedented opportunity presented by its location. The Outreach Section, which is entirely composed of Sierra Leonean staff, has undertaken a wide range of initiatives. In a particularly innovative programme, the Special Court's Public Affairs Office has been producing video summaries of trial proceedings for the outreach efforts in the provinces, which are screened by the court's outreach programme across Sierra Leone on mobile video units. I am proud to say that the outreach efforts of the Special Court have been regarded as a model by the Tribunals for Rwanda and for the Former Yugoslavia, and by the International Criminal Court.

The location of the Special Court in Sierra Leone and its hybrid nature have given prominent relevance to the concept of legacy. The notion of the legacy of the Special Court is embedded within the Court itself and within the civil society community surrounding it.

Foremost, the Special Court will leave behind a sense of justice for crimes committed during the decade-long conflict in Sierra Leone and will engender public awareness that criminal accountability for such crimes is possible.

The Special Court will also leave a legacy for the Sierra Leonean personnel who represent approximately 60 per cent of the 340 staff members. In many ways, the Special Court will enable its Sierra Leonean personnel in all areas of operations, and their local counterparts, to develop their professional expertise despite the Special Court's lack of an explicit capacity-building mandate.

It is expected that when the Special Court winds down, it will also leave behind tangible and material resources for the Sierra Leonean legal system, including a state-of-the-art courthouse, a modern detention facility in full compliance with international standards on prison accommodation and the highly specialized collection of the Court's library.

Globally, our vision and our mission is to leave a legacy that will serve as a model for ensuring accountability for violations of international humanitarian law in other post-conflict situations, in an expeditious and financially restrained fashion, without compromising the observance of fair hearing in the judicial process.

In conclusion, I would like to thank the Security Council and, in particular, those Member States who have funded and supported the Special Court thus far. I would also like to express my gratitude to the Secretary-General for his unwavering support at a time when the United Nations has to face many varied challenges worldwide.

The international community cannot afford to let the Court fail, as such failure would send a negative message to those struggling to combat the culture of impunity and would undermine respect for human rights and international law, thus emboldening any who may plan to embark on a course of conduct that is in deliberate violation of international humanitarian law.

With those key issues that I have outlined today in mind, I urge the Security Council to continue to give its wholehearted and effective support to the Special Court in any manner it may consider appropriate, in particular in the areas of adequate funding, the transfer of those indictees who remain at large and maintenance of the necessary security until the end of the operations of the Court.

As the outgoing President of the Special Court, I would like to end on a more personal note. I am honoured, as are all my colleagues — judges of the Court and the entire staff of the Court — to be a part of the Special Court and of the determination of the international community to end impunity. I would also like to express my gratitude to the Secretariat's Office of Legal Affairs. I acknowledge with gratitude the tremendous, healthy and constructive interest shown by several non-governmental organizations in the work of the Court.

Finally, I would like to express my gratitude to the Special Court's managers who are here today, and to commend them and all the staff of the Court for helping to achieve justice for the victims of the Sierra Leonean conflict — sometimes under harsh circumstances — with an innovative and true commitment.

The President: I thank Judge Ayoola for his briefing.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

In accordance with the understanding reached in the Council's prior consultations, I invite Council members to a private meeting following the adjournment of this meeting.

The meeting rose at 10.50 a.m.

United Nations S/PV.5186

Security Council

Distr.: General
24 May 2005

Original: English

Official communiqué of the 5186th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Tuesday, 24 May 2005, at 10.55 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 5186th meeting, held in private on 24 May 2005, the Security Council considered the item entitled 'The situation in Sierra Leone'.

"In accordance with the decision taken at the 5185th meeting, the President extended an invitation under rule 39 of the Council's provisional rules of procedure to Judge Emmanuel Ayoola, President of the Special Court for Sierra Leone.

"The members of the Council and Judge Ayoola had a constructive discussion."

05-35638 (E) 240505